FEDERAL REGISTER

VOLUME 18 • NUMBER 11

Washington, Friday, January 16, 1953

TITLE 3—THE PRESIDENT

EXECUTIVE ORDER 10423

CONFERRING A COMPETITIVE CIVIL-SERVICE STATUS UPON WILLIAM P. FRANCISCO WITHOUT REGARD TO THE COMPETITIVE PROVISIONS OF THE CIVIL SERVICE RULES AND REGULATIONS

By virtue of the authority vested in me by section 2 of the Civil Service Act of January 16, 1883 (22 Stat. 403, 404), I hereby confer a competitive civil-service status upon William P. Francisco, Deputy United States Marshal, Southern District of New York, without regard to the competitive provisions of the Civil Service Rules and regulations.

HARRY S. TRUMAN

THE WHITE HOUSE,
January 14, 1953.

[F. R. Doc. 53-597; Filed, Jan. 14, 1953; 3:45 p. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter IV—Production and Marketing Administration and Commodity Credit Corporation, Department of Agriculture

Subchapter C—Loans, Purchases, and Other Operations

[1952 CCC Olive Oil Bulletin, 722 (Olive Oil-52)-1]

PART 643—OILSEEDS

SUBPART—1952 CROP OLIVE OIL PRICE SUPPORT PROGRAM

This bulletin states the requirements with respect to the 1952 Crop Olive Oil Price Support Program made available by the Secretary of Agriculture through Commodity Credit Corporation (hereinafter referred to as "CCC") and the Production and Marketing Administration (hereinafter referred to as "PMA")

Sec.
643.800 Administration.
643.801 Availability of price support.
643.802 Eligible producer.
643.803 Eligible olive oil.
643.804 Disbursement of loans.
643.805 Approved lending agencies.
643.806 Approved containers and storage facilities.
643.807 Sampling and chemical analysis of olive oil.
643.808 Maturity date of loans and period of notification to sell under purchase agreement.
643.809 Applicable forms.
643.810 Determination of quantity.
643.811 Liens.
643.812 Service charges.
643.813 Set-offs.
643.814 Interest rate.
643.815 Transfer of producer's interest.
643.816 Insurance.
643.817 Loss or damage to olive oil.
643.818 Personal liability of the producer.
643.819 Release of olive oil under loan.
643.820 Liquidation of loans and delivery under purchase agreement.
643.821 Purchase of notes.
643.822 Storing and handling charges.
643.823 Support prices.
643.824 PMA Commodity Office.

AUTHORITY: §§ 643.800 to 643.824 issued under sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup., 714b. Interpret or apply secs. 4, 5, 62 Stat. 1070, as amended, 1072, secs. 301, 401, 63 Stat. 1053, 1054; 15 U. S. C. Sup., 714b, 714c, 7 U. S. C. Sup., 1447, 1421.

§ 643.800 *Administration.* The program will be administered by PMA, under the general direction and supervision of the President, CCC. In the field, the program will be carried out through State and County PMA Committees (referred to in this subpart as State and County Committees) and PMA Commodity Offices. Forms will be distributed through the offices of State and County Committees. County Committees will examine purchase agreements and loan documents and will approve those found acceptable and determine the eligibility of producers and of olive oil under the program. The County Committee may designate in writing one or more of the employees of the County PMA Office to perform such functions on behalf of the committee. The names of the employees to be delegated authority to approve documents on behalf of the County Committee shall be submitted to the State Committee. State and County Committees and PMA Commodity Offices do not have authority to modify or waive any of the provisions of this subpart or any amendments or supplements to this subpart.

§ 643.801 *Availability of price support*—(a) *Methods of price support.* Price support will be available to eligible producers of oil olives through non-

(Continued on p. 345)

CONTENTS

THE PRESIDENT

EXECUTIVE AGENCIES

FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Federal Register Division, National Archives and Records Service, General Services Administration, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U. S. C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D. C.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER.

CONTENTS—Continued

CONTENTS—Continued

CONTENTS—Continued

CONTENTS—Continued

CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

recourse loans on eligible olive oil stored in the approved manner in approved farm storage or stored in approved warehouses, and through purchase agreements.

(b) *Area.* This program will be available in the States of California and Arizona.

(c) *When to apply.* Purchase agreements and loan documents covering olive oil will be accepted by the County Committee beginning January 1, 1953, through April 30, 1953.

(d) *Where to apply.* Application for price support should be made through the office of the County Committee which keeps the farm program records for the farm.

§ 643.802 *Eligible producer.* (a) An eligible producer shall be an individual, partnership, corporation, estate, or other legal entity producing oil olives of the 1952 crop as a landowner, landlord, tenant or share cropper. The beneficial interest in the oil olives and the resultant olive oil must be in the producer tendering olive oil as security for a loan, or for purchase under a purchase agreement, and must have always been in such producer or in such producer and a former producer whom such producer succeeded either as landowner, landlord, tenant or share cropper before the olives were harvested.

(b) Any group of eligible producers may pool in storage the olive oil produced by each and execute a written trust agreement in the form or forms prescribed by CCC conveying to one of the group, as trustee, legal title to the olive oil produced by the other members of the group, the trustors, for the sole purpose of permitting the trustee to pledge such olive oil to CCC as security for a loan under this program. The trustee must be an eligible olive oil producer and must have at least a part of his 1952 crop olive oil in the pool created by the trust agreement. The trust agreement must be signed by each of the parties thereto, must state the quantity of olive oil conveyed to the trustee by each trustor and the quantity of olive oil in the pool which was produced by the trustee. Each agreement shall provide that the beneficial interest in the olive oil conveyed by each trustor is retained by such trustor and that each trustor and the trustee shall share in the loan proceeds according to the relationship which the quantity of olive oil contributed to the pool by each party to the agreement bears to the total quantity of the oil in the pool. A copy of the trust agreement must be delivered to the County Committee before any loan documents executed by the trustee under the authority of the agreement will be accepted and approved by the County Committee.

(c) Any cooperative association hereinafter called cooperative which normally handles the oil olives of its producer-members shall be considered an eligible producer with respect to eligible olive oil processed by it from 1952 crop oil olives delivered to it by eligible producers: *Provided,* That:

(1) The beneficial interest in such olives and in such resultant olive oil is and always has been in such producer-members or in such producer-members and former producers whom such producer-members succeeded either as landowner, landlord, tenant or share cropper, before such olives were harvested;

(2) The major part of the olive oil marketed by the cooperative is produced from oil olives delivered by members who are eligible producers;

(3) The members share proportionately in the proceeds from marketings

according to the quantity and quality of oil olives each delivers to the cooperative;

(4) The cooperative has the legal right to pledge or mortgage the olive oil as security for a loan as well as the authority to sell such olive oil under purchase agreement.

(5) The cooperative shall maintain a record of the total quantity of olive oil processed by it from oil olives obtained from all sources, a separate record of olive oil processed from 1952 crop oil olives delivered to the cooperative by members who are eligible producers and a separate record of the quantity of olive oil eligible under § 643.803 which is processed from 1952 crop oil olives delivered to the cooperative by eligible producer-members. The cooperative shall make its books available to CCC for inspection at all reasonable times through April 1955.

(6) The cooperative shall not permit eligible olive oil processed from 1952 crop oil olives delivered to the cooperative by eligible producers to be commingled with any olive oil which is ineligible under this program; and

(7) The total quantity of eligible olive oil placed under loan and delivered under purchase agreements shall not exceed the quantity of eligible olive oil shown on the books of the cooperative as having been processed from 1952 crop oil olives delivered to it by its eligible producer-members.

§ 643.803 *Eligible olive oil.* Olive oil eligible for loan or delivery under purchase agreement must have been processed from 1952 crop olives produced in California or Arizona, must meet the requirements for "U. S. Grade A" as defined in the "U. S. Standards for Grades of Olive Oil," issued by the Department of Agriculture, effective March 22, 1948 (13 F. R. 763)

§ 643.804 *Disbursement of loans.* Disbursement of loans will be made to producers by PMA County Offices by means of sight drafts drawn on CCC, or by approved lending agencies operating under agreement with CCC. Disbursement shall not be made later than 15 days after the final date of the availability of loans unless a longer period is approved by the President, CCC. The producer shall not present the loan documents for disbursement unless the olive oil represented by the loan documents is in existence and in good condition. If the olive oil was not in existence and in good condition at the time of disbursement, the loan proceeds shall be promptly refunded by the producer.

§ 643.805 *Approved lending agencies.* An approved lending agency shall be any bank, cooperative marketing association, corporation, partnership, individual, or other legal entity with which CCC has entered into a Lending Agency Agreement on Form CCC 292 or other form prescribed by CCC.

§ 643.806 *Approved containers and storage facilities.* Loans will be made only on olive oil in approved storage. All olive oil pledged as security for a loan on a single note and loan agreement must be stored in the same warehouse. Purchase agreements will be accepted without any requirements for approved storage. However, warehouse receipts will be accepted under purchase agreements only if such receipts cover olive oil stored commingled in approved warehouses.

(a) *Farm storage.* Approved farm storage shall consist of storage structures located on or off the farm which are determined by the County Committee to be so located and of such substantial and permanent construction as to afford safe storage of the olive oil. Olive oil placed under a farm storage loan, whether stored on or off the farm, must be in approved drums at the time the loan is made and must be in such drums when delivery is made in liquidation of such loan: *Provided, however* That farm storage loans may be made on olive oil stored in tanks approved by CCC at crushing mills under the following conditions: (1) The operator of the mill has not entered into CCC Form 43, Olive Oil Storage Agreement, authorizing the issuance of warehouse receipts; (2) the mill has storage tanks which can be readily identified from the description in the chattel mortgage; (3) all olive oil in any one tank is under loan; and (4) twenty cents per gallon is withheld from the proceeds of the loan to cover the cost of drums and drumming.

(b) *Approved warehouses.* (1) Approved warehouses shall consist of storage facilities made available by olive oil mills, and others including cooperatives, having adequate facilities for handling and storing olive oil, for which an olive oil storage agreement for the 1952 crop has been entered into with CCC. The names of owners or operators of approved warehouses may be obtained from the PMA Commodity Office and from State and County Offices.

(2) Approved warehouseman may store eligible olive oil placed under loan or delivered under purchase agreement on either (i) a commingled basis, in which case the warehouseman shall issue an approved form of warehouse receipt in which he guarantees to deliver olive oil of the same grade and quantity as described in the receipt of (ii) an identity-preserved basis, in which case the warehouseman shall issue an approved form of warehouse receipt in which he agrees to deliver the identical oil described in the receipt but does not guarantee the grade and quantity of the oil.

(c) *Approved type drums.* Approved type drums are new, 50 to 55 gallon capacity, 18 gauge steel drums suitable for edible vegetable oils, and fabricated with side or top bung holes and two rolling hoops.

(d) *Filling and sealing drums.* All drums must be completely filled with olive oil and sealed air tight.

§ 643.807 *Sampling and chemical analysis of olive oil.* (a) The Processed Products Standardization and Inspection Division of the Fruit and Vegetable Branch, PMA, shall make all chemical analyses and issue all chemical analysis certificates required under this program for olive oil. Samples of olive oil for chemical analysis shall be drawn by employees of the Department of Agriculture in accordance with instructions issued by the Processed Products Standardization and Inspection Division when such samples are used to determine the acceptability of the olive oil for a farm storage loan, or an identity-preserved warehouse loan: *Provided, however,* That the quality of olive oil delivered to CCC in liquidation of a loan or under a purchase agreement will be determined by the chemical analysis of samples of such oil drawn by a Federal Inspector subsequent to the producer's notification of intentions to deliver the olive oil to CCC.

(b) A chemical analysis certificate shall be furnished the County Committee at the time of delivery to CCC of olive oil under a farm storage loan, an identity-preserved warehouse loan, or under a purchase agreement. When CCC acquires approved warehouse receipts representing olive oil stored on a commingled basis in an approved warehouse, a chemical analysis shall be made of the olive oil delivered by the warehouseman upon surrender of such warehouse receipts.

(c) Sampling and chemical analysis fees shall be paid by the producer, except that CCC shall pay fees for sampling and analysis of olive oil when delivered to CCC under a farm storage loan or under an identity-preserved warehouse storage loan.

§ 643.808 *Maturity date of loans and period of notification to sell under purchase agreement.* (a) Loans mature on demand but not later than December 31, 1953.

(b) Producers intending to sell olive oil to CCC under purchase agreement must notify the County Committee of their intention during the 30-day period ending on December 31, 1953, or ending on such earlier date as may be prescribed by the President, CCC.

§ 643.809 *Applicable forms.* The approved forms consist of the purchase agreement forms and loan forms and other forms specified in this subpart, which together with the provisions of this subpart, and any supplements and amendments to this subpart, govern the rights and responsibilities of the producer. Documents required for loans and purchase agreements must be dated and delivered to the County Committee on or before April 30, 1953 and must have State documentary and revenue stamps affixed thereto when required by law. Documents executed by an administrator, executor, or trustee, will be acceptable only where legaly valid.

(a) *Farm storage loans.* Approved forms shall consist of producer's note (Commodity Loan Form A), secured by a chattel mortgage (Commodity Loan Form AA), and such other forms and documents as may be required by CCC.

(b) *Warehouse storage loans.* Approved forms shall consist of the Note and Loan Agreement (Commodity Loan Form B) secured by approved warehouse receipts and such other forms and documents as may be required by CCC.

(c) *Purchase agreement documents.* The purchase agreement forms shall consist of the Purchase Agreement (Commodity Purchase Form 1) and Purchase Agreement Settlement (Commodity Purchase Form 4) signed by the producer and approved by the County Committee, the Delivery Instructions (Commodity Purchase Form 3) issued by the County Committee and such other forms and documents as may be required by CCC.

(d) *Other forms.* Chemical analysis certificates, producer's certification of eligibility of olive oil, producer's trust agreement, and such other forms as may be prescribed by the President, CCC, shall be considered as part of the purchase agreement or loan documents.

(e) *Producer's certification of eligibility of olive oil.* Before a loan is made on olive oil to a producer, other than a cooperative, or before delivery of olive oil from such producer under a purchase agreement can be accepted by the County Committee, the producer must sign an appropriately worded statement in substantially the following form:

I (we) hereby certify as follows:
(1) That the _____ gallons of oil located in _____ at _____ (Warehouse or farm identifications) _____ which I (we) am (are) pledg- (Address)
ing (or mortgaging) to CCC as collateral for loan, (am (are) tendering for delivery to CCC under purchase agreement) was delivered to me (us) as oil processed for my (our) account by _____ out (Name of plant)
of 1952 crop oil olives produced by me (us) which I (we) delivered to such plant for toll processing;
(2) That such quantity of olive oil is not in excess of the quantity of oil processed from oil olives produced on my (our) farm or that which the processor determined was extracted from such olives on the basis of their oil content; and
(3) That the beneficial interest in such olives and in the resultant olive oil above described is and always has been in me (us) or in me (us) and a former producer whom I (we) succeeded as landowner, landlord, tenant or share cropper, before such olives were harvested.

_____
(Signature of producer)

_____
(Date)

(f) *Cooperative's certification of eligibility of olive oil.* Before a loan is made to a cooperative association or delivery of olive oil from such cooperative under a purchase agreement can be accepted by the County Committee, the manager or the official empowered to sign contracts for or on behalf of a cooperative must sign an appropriately worded statement in substantially the following form:

I hereby certify as follows:
(1) That the _____ gallons of olive oil located in _____ at _____ (Warehouse) (Address)
which is being pledged (or mortgaged) to CCC as collateral for loan (is being tendered for delivery to CCC under purchase agreement) was processed for the account of the cooperative from 1952 crop oil olives produced and delivered to the cooperative by the eligible producers of such olives;
(2) That such quantity of olive oil is not in excess of the quantity of olive oil processed from 1952 crop oil olives produced on the farms of the eligible producer-members of the cooperative and delivered to the cooperative by such producer-members;
(3) That the beneficial interest in all olive oil processed by the cooperative from 1952 crop oil olives delivered to it by its producer-members is and always has been in such producer-members and former producers whom such producer-members succeeded, either as landowner, landlord, tenant, or share cropper, before such olives were harvested.

_____
(Name of cooperative)
By _____
Title _____

_____
(Date)

(g) *Execution of a trust agreement.* A group of producers entering into a trust agreement shall execute Form CCC Olive Oil 101 (1952)

(h) *Warehouse receipts.* Warehouse receipts, representing olive oil in approved warehouse storage to be placed under loan or delivered under a purchase agreement, must meet the following requirements:

(1) Must be negotiable, issued in the name of the producer, describe the quantity and quality of olive oil delivered to the warehouseman, be signed by the warehouseman and be properly endorsed in blank by the producer so as to vest title in the holder.

(2) Must state whether the oil is stored identity preserved and, if so, further describe the oil to the extent necessary to insure ready identification of the specific oil.

(3) Must state that the warehouseman will deliver to the holder of the warehouse receipt the specific oil when it is stored identity preserved, or the quantity and quality shown on the receipt when the oil is stored commingled.

(4) Must contain a statement showing the insurance coverage carried by the warehouseman on the oil. If such insurance was not effective as of the date of deposit of the olive oil in the warehouse, the warehouseman must certify as to the effective date of the insurance and that the oil is in the warehouse and undamaged.

(5) Must show the date of issue.

(6) Must specify that the oil will be delivered in new 50 to 55 gallon, 18 gauge steel drums and carrying endorsement in substantially the following form "Warehouse charges through December 31, 1953, and all charges for drumming, including cost of drums, on the olive oil represented by this warehouse receipt have been paid or otherwise provided for and the warehouseman has no lien upon such olive oil for such charges."

(7) Must contain such other terms and conditions as CCC may require in its olive oil storage agreement for approved warehouseman.

(i) *Olive oil supplemental certificate.* (1) Each warehouse receipt covering olive oil under loan stored in an approved warehouse on an identity-preserved basis, must be accompanied by a supplemental certificate, executed by the producer, and properly identified with the warehouse receipt.

(2) The supplemental certificate shall state the producer's responsibility with respect to the olive oil in accordance with § 643.817.

§ 643.810 *Determination of quantity.* (a) The quantity of olive oil under a farm storage loan or delivered under a purchase agreement shall be determined on the basis of net gallons of 7.61 pounds per gallon.

(b) All determinations of the quantity of olive oil represented by warehouse receipts issued by approved warehouse which are pledged to secure a loan or delivered under purchase agreement shall be made on the basis of the guaranteed net gallons of 7.61 pounds per gallon specified on the warehouse receipt.

§ 643.811 *Liens.* If there are any liens or encumbrances on the olive oil, waivers acceptable to the County Committee must be obtained.

§ 643.812 *Service charges.* Service charges shall be paid by the producer on the quantity placed under loan or specified in the purchase agreement, computed at the following rates:

	Rate per gallon	Minimum charge
	Cents	
Farm storage loans	1	$3.00
Warehouse loans	½	1.50
Purchase agreement	½	1.50

No service charges will be refunded.

§ 643.813 *Set-offs.* If the producer is indebted to CCC on any accrued obligation, or if any installments past due or maturing within twelve months are unpaid on any loan made available by CCC on farm storage facilities, whether held by CCC or a lending agency, he must designate CCC or such lending agency as the payee of the proceeds of the purchase or loan to the extent of such indebtedness or installments but not to exceed that portion of the proceeds remaining after deduction of service charges and amounts due prior lienholders. However, prepayment of only one principal installment on a farm storage facility loan shall be deducted from the price support proceeds of any one crop year. If the producer is indebted to any other agency of the United States, and such indebtedness is listed on the county debt register, he must designate such agency as the payee of the proceeds as provided in this section. Indebtedness owing to CCC or to a lending agency as provided in this section shall be given first consideration after claims of prior lienholders. Compliance with the provisions of this section shall not constitute a waiver of any right of the producer to contest the justness of the indebtedness involved either by administrative appeal or legal action.

§ 643.814 *Interest rate.* Loans shall bear interest at the rate of 3½ percent per annum and interest shall accrue from the date of disbursement of the loan.

§ 643.815 *Transfer of producer's interest*—(a) *Loans.* The right of the producer to transfer either his right to redeem the olive oil under loan or his remaining interest may be restricted by CCC.

(b) *Purchase agreements.* The producer may not assign his interest in the purchase agreement.

§ 643.816 *Insurance.* CCC will not require the producer to insure the olive oil placed under a farm storage loan or an identity-preserved warehouse loan; however, if the olive oil is insured and an indemnity is paid thereon, such indemnity shall inure to the benefit of CCC to the extent of its interest, after first satisfying the producer's equity in the olive oil involved in the loss. Olive oil tendered for loan or delivered under purchase agreement, which is stored in an approved warehouse on a commingled basis, must be insured by the warehouseman for not less than the full market value against loss or damage by fire, lightning, inherent explosion, windstorm, hurricane, tornado, and such other hazards as are normally insured against by the warehouseman or required by statute. If insurance is obtained by the producer on identity preserved olive oil under loan, it must be assigned to the warehouseman, with the consent of the insurance company, before a loan will be made and the warehouseman must certify that the insurance has been assigned to him.

§ 643.817 *Loss or damage to olive oil.* The producer is responsible for any loss in quantity or quality of the olive oil placed under farm storage loan or identity-preserved warehouse loan except that, subject to the provisions of § 643.816, physical loss or damage occurring after disbursement of the loan funds to the producer without fault, negligence, or conversion on the part of the producer, warehouseman, or any other person having control of the storage structure and resulting solely from an external cause, will be assumed by CCC to the extent of the settlement value, provided the producer or warehouseman has given the County Committee immediate notice of such loss or damage and provided there has been no fraudulent representation made by the producer in the loan documents or in obtaining the loan. No physical loss or damage occurring prior to disbursement of the loan funds to the producer will be assumed by CCC. Where disbursement of funds is made by sight draft or check, the date of the draft or check shall constitute the date of disbursement of the funds.

§ 643.818 *Personal liability of the producer* Any fraudulent representation made by any producer or any one acting for the producer in executing any of the loan or purchase agreement documents, or in obtaining the purchase agreement or loan proceeds, or the conversion or unlawful disposition of any portion of the olive oil by the producer, will render the producer subject to criminal prosecution under Federal Law and liable for any damages suffered by CCC as a result of purchase of the olive oil and liable for the amount of the loan, including interest, and for any resulting expense incurred by any holder of the note.

§ 643.819 *Release of the olive oil under loan.* A producer may at any time obtain release of the olive oil remaining under loan by paying to the holder of the note, or note and loan agreement, the principal amount thereof, plus charges and accrued interest. All charges in connection with the collection of the note or note and loan agreement shall be paid by the producer. Upon notice from the PMA Commodity Office or upon presentation of the paid note or note and loan agreement, the County Committee shall arrange for the release of the chattel mortgage in the case of a farm storage loan, or the warehouse receipts in the case of an approved warehouse storage loan. Partial release of the olive oil prior to maturity may be arranged with the County Committee by paying to the holder of the note or note and loan agreement the amount of the loan, plus charges and accrued interest represented by the quantity of the olive oil to be released. In the case of warehouse storage loans, such partial release must be equal to the quantity covered by one or more warehouse receipts.

§ 643.820 *Liquidation of loans and delivery under purchase agreements*—(a) *Farm storage loans.* (1) In the case of farm storage loans, the producer is required to pay off his loan on or before maturity or to deliver the olive oil in accordance with instructions of the County Committee. The producer may, however, pay off his loan and redeem his olive oil at any time prior to delivery to CCC or removal by CCC. If the olive oil is going out of condition or is in danger of going out of condition, the producer shall notify the County Committee, and such committee shall determine whether the olive oil must be delivered before maturity date of the loan. In the event the farm is sold or there is a change of tenancy the olive oil under a farm storage loan may be delivered before the maturity date of the loan, upon prior approval by the County Committee, or for other reasons may be delivered before the maturity date of the loan upon prior approval of the President of CCC. Settlement will be made at the applicable support price, subject to the provisions of the mortgage supplement, according to the quality, as shown by chemical analysis certificates and the quantity of the olive oil delivered. Settlement value for olive oil delivered which does not meet the eligibility requirements with respect to grade shall be determined at the support price for the grade placed under loan, less the difference, if any, at the time of delivery, between the market price for the grade placed under loan and the market price of the olive oil delivered as determined by CCC. If olive oil under a farm storage loan is stored in a tank at a crushing mill and is not in drums at the time of delivery to CCC, the cost of drums and drumming shall be for the account of the producer. If the olive oil is delivered to CCC in drums, the amount withheld from the loan proceeds for drums and drumming shall be paid to the producer.

(2) If the settlement value of the olive oil delivered exceeds the amount due on the loan (excluding interest), such amount wil be paid to the producer on the basis of the settlement documents. Deliveries of olive oil to CCC under farm storage loans will be handled by the PMA County Committee who initially approved the loan. Any payment due the producer will be made by sight draft drawn on CCC by the PMA County Office.

(3) If the settlement value of the olive oil is less than the amount due on the loan (excluding interest), the amount of the deficiency plus interest thereon, shall be paid to CCC or may be set off against any payment which would otherwise be due to the producer under any agricultural programs administered by the Secretary of Agriculture or any other payments which are due or may become due to the producer from CCC or any other agency of the United States.

(b) *Warehouse storage loans.* (1) In the case of loans on olive oil stored in approved warehouses on an identity-preserved basis, settlement will be made at the applicable support price, subject to the provisions of the note and loan agreement, according to the quality, as shown by chemical analysis certificates, and the quantity of the olive oil delivered by the warehouseman. Settlement value for olive oil delivered which does not meet the eligibility requirements with respect to grade shall be determined at the support price for the grade placed under loan, less the difference, if any, at the time of delivery, between the market price for the quality placed under loan and the market price of the olive oil delivered as determined by CCC, and any payment due the producer for such difference will be made by sight draft drawn on CCC by the PMA County Office. Any payment due the producer because of an overplus realized from the sale or pooling of the olive oil will be made by the PMA Commodity Office.

(2) If the producer does not repay his loan by maturity, in the case of loans on olive oil stored in approved warehouses on a commingled basis, CCC shall have the right to sell or pool the olive oil in satisfaction of the loan in accordance with the provisions of the note and loan agreement and paragraph (e) of this section. Any payment due a producer at the time of settlement will be made by the PMA Commodity Office.

(c) *Handling small amounts on settlement.* To avoid administrative costs of making small payments and handling small accounts, amounts due the producer of $3.00 or less will be paid only upon his request and a deficiency of $3.00 or less, including interest, may be disregarded by a producer unless demand for payment is made by CCC.

(d) *Purchase agreements.* (1) The producer who signs a purchase agreement (Commodity Purchase Form 1) will not be obligated to sell any quantity of the olive oil to CCC. However, the quantity stated in the purchase agreement will be the maximum quantity he may sell to CCC.

(2) In the case of eligible olive oil stored commingled in an approved warehouse, the producer must, not later than the day following the final date of the 30-day period as provided by § 643.808, submit to the County Committee warehouse receipts in the form described in § 643.809 (h) for the quantity of olive oil he elects to sell to CCC, but not in excess of the quantity shown on Commodity Purchase Form 1. In the case of eligible olive oil stored in other than

approved warehouse storage or stored identity-preserved in approved warehouse storage, the County Committee will, on or after the final date of such 30-day period, issue delivery instructions to the producer. The producer must then complete delivery within a 15-day period immediately following the date the County Committee issues delivery instructions, unless the County Committee determines that more time is needed for delivery.

(3) The olive oil delivered under a purchase agreement will be purchased at the applicable support rate. When delivery is completed, payment will be made by sight draft drawn on CCC by the PMA County Office.

(4) All olive oil delivered under purchase agreements, except olive oil stored in approved warehouses on a commingled basis, will be purchased in approved drums on the basis of the quality, as shown by chemical analysis certificates, and the quantity determined at the time of delivery. Olive oil stored on a commingled basis in approved warehouses will be purchased on the basis of quantity and quality shown on the warehouse receipts.

(e) *Removal of olive oil under loan.* If the loan is not satisfied upon maturity by payment or delivery, the holder of the note may remove the olive oil and sell it either by separate contract or after pooling it with other lots of olive oil similarly held. If the olive oil is pooled, the producer has no right of redemption after the date the pool is established, but shall share ratably in any overplus remaining upon liquidation of the pool. CCC shall have the right to treat the pooled olive oil as a reserve supply to be marketed under such sales policies as CCC determines will promote orderly marketing, protect the interests of producers and consumers, and not unduly impair the market for the current crop of olive oil even though part or all of such pooled olive oil is disposed of under such policies at prices less than the current domestic price for olive oil. Any sum due the producer as a result of the sale of the olive oil or out of the insurance proceeds thereon, or any ratable share resulting from the liquidation of a pool, shall be payable only to the producer without right of assignment by him.

§ 643.821 *Purchase of notes.* The County Committee will purchase from approved lending agencies, notes evidencing approved loans which are secured by chattel mortgages or negotiable warehouse receipts issued by approved warehouses. The purchase price to be paid by CCC will be the principal sums remaining due on such notes, plus an amount computed according to the lending agency agreement to cover interest. Lending agencies are required to submit Commodity Credit Corporation Form 500, or such other form as CCC may prescribe, to the County Committee for all payments received on producers' notes and note and loan agreements held by them and are required to remit to the County Committee a part of the interest collected, computed according to the lending agency agreement. Lending agencies shall submit notes and note and loan agreements and reports to the appropriate PMA County Committee.

§ 643.822 (a) *Storing and handling charges.* CCC will not pay or assume the cost of any sampling, analysis, weighing, insurance, storage, drums, drumming, or other handling or processing required under this program except as provided in this subpart.

(b) *Storage time and services.* CCC and any subsequent holder of warehouse receipts covering olive oil shall be entitled to any unexpired portion of the storage time and outloading services to which the producer became entitled under any contract between the producer and the warehouseman. Storage charges accruing after December 31, 1953, on olive oil delivered to CCC in an approved warehouse will be paid by CCC.

§ 643.823 *Support prices.* (a) The support price for olive oil which meets "U. S. Grade A" standards and contains up to and including one percent free fatty acid will be $2.50 per gallon.

(b) The support price for olive oil which meets "U. S. Grade A" standards and contains over one percent and not more than 1.4 percent free fatty acid will be $2.25 per gallon. Farm storage loans and warehouse storage loans on olive oil stored identity-preserved will be made at the applicable support price on the basis of grade and quality and quantity determined when the loan is made. Warehouse storage loans on olive oil stored commingled will be made at the applicable support price on the basis of the grade and quality and quantity shown on the warehouse receipts. Olive oil delivered under purchase agreements will be purchased at the applicable support price on the basis of grade and quality and quantity determined at the time of delivery.

§ 643.824 *PMA Commodity Office.* The address of the PMA Commodity Office serving California and Arizona is:

333 Fell Street, San Francisco 3, California.

Issued this 13th day of January 1953.

[SEAL] JOHN H. DEAN,
Acting Vice President,
Commodity Credit Corporation.

Approved:

G. F GEISSLER,
President,
Commodity Credit Corporation.

[F. R. Doc. 53-486; Filed, Jan. 15, 1953; 8:51 a. m.]

TITLE 7—AGRICULTURE

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

EXPENSES AND RATE OF ASSESSMENT FOR 1952–1953 FISCAL YEAR

On December 18, 1952, notice of proposed rule making was published in the FEDERAL REGISTER (17 F. R. 11451) regarding the expenses and the fixing of the rate of assessment for the 1952–1953 fiscal year pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953) regulating the handling of lemons grown in the State of California or in the State of Arizona. This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.). After consideration of all relevant matters presented, including the proposals which were submitted by the Lemon Administrative Committee (established pursuant to the amended marketing agreement and order) and set forth in the aforesaid notice, it is hereby found and determined that:

§ 953.207 *Expenses and rate of assessment for the 1952–1953 fiscal year.* (a) The expenses necessary to be incurred by the Lemon Administrative Committee, established pursuant to the provisions of the aforesaid amended marketing agreement and order, for its maintenance and functioning during the fiscal year ending October 31, 1953, will amount to $125,250.00; and the rate of assessment to be paid, in accordance with the amended marketing agreement and order, by each handler who first handles lemons shall be one and one-half cents ($0.015) per packed box of lemons, or an equivalent quantity of lemons, handled by him as the first handler thereof during the said fiscal year. Such rate of assessment is hereby fixed as each handler's pro rata share of the aforesaid expenses.

It is hereby further found that it is impracticable and contrary to the public interest to postpone the effective date hereof until 30 days after publication in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) in that (1) the rate of assessment is applicable to all lemons shipped during the 1952–53 season; (2) shipments of lemons in volume have been made since the start of the fiscal year on November 1, 1952; (3) the provisions of this section do not impose any obligation on a handler until such handler ships lemons; and (4) it is essential that the specifications of the assessment rate be issued immediately so that the aforesaid assessment may be collected and thereby enable the Lemon Administrative Committee to perform its duties and functions in accordance with the said amended marketing agreement and order.

Notwithstanding the approval of the aforesaid expenses, none of such funds may be used to pay any wage or salary that is inconsistent with the Defense Production Act of 1950, as amended, Executive Order No. 10161, or any supplementary order, directive, or regulation pursuant thereto.

(b) Terms used in this section shall have the same meaning as when used in said amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 12th day of January 1953.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 53-483; Filed, Jan. 15, 1953; 8:50 a. m.]

PART 989—RAISINS PRODUCED FROM RAISIN VARIETY GRAPES GROWN IN CALIFORNIA

BUDGET OF EXPENSES OF RAISIN ADMINISTRATIVE COMMITTEE AND RATE OF ASSESSMENT FOR 1952–53 CROP YEAR

Notice was published in the December 24, 1952 issue of the FEDERAL REGISTER (17 F R. 11726) that the Secretary of Agriculture was considering a proposed rule to approve a budget of expenses for the Raisin Administrative Committee for the 1952–53 crop year, and fix a rate of assessment for such year, as hereinafter set forth, which were recommended by said committee in accordance with the provisions of Marketing Agreement No. 109 and Order No. 89 (17 F R. 1255, 1555) regulating the handling of raisins produced from raisin variety grapes grown in California, effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) In said notice, opportunity was afforded all interested persons to file written data, views, or arguments with respect thereto. No such written data, views or arguments were filed within the period provided therefor.

After consideration of all matters pertaining thereto, including the recommendations of the Raisin Administrative Committee, it is hereby found and determined, and it is, therefore, ordered, that the budget of expenses for the Raisin Administrative Committee, and the rate of assessment, for the crop year beginning August 15, 1952, shall be as follows:

§ 989.303 *Budget of expenses of the Raisin Administrative Committee and rate of assessment for the 1952–53 crop year*—(a) *Budget of expenses.* Expenses in the amount of $66,000 are reasonable and are likely to be incurred by the Raisin Administrative Committee for its maintenance and functioning and for the maintenance and functioning of the Raisin Advisory Board for the crop year beginning August 15, 1952, and ending August 14, 1953.

(b) *Rate of assessment.* Each handler shall pay to the Raisin Administrative Committee in accordance with the marketing agreement and order, an assessment rate of 40 cents for each ton of free tonnage raisins acquired by him and for each ton of reserve tonnage raisins sold to him by the committee, during the crop year beginning August 15, 1952, and ending August 14, 1953, which assessment rate is hereby fixed as each handler's pro rata share of the aforesaid expenses.

Notwithstanding the approval of the aforesaid expenses, none of such funds may be used to pay any wage or salary that is inconsistent with the Defense Production Act of 1950, as amended, Executive Order No. 10161, or any supplementary order, directive, or regulation pursuant thereto.

It is hereby found and determined that good cause exists for not postponing the effective time of the order with respect to the aforesaid budget of expenses and rate of assessment for 30 days, or any lesser period, after publication of it in the FEDERAL REGISTER (see section 4 (c) of the Administrative Procedure Act; 5 U. S. C. 1001 et seq.), in that: (1) The rate of assessment hereby fixed is applicable to all raisins acquired during the current crop year as set forth in this section; (2) handlers have been receiving deliveries of raisins from producers for approximately four months, which receipts are, by the terms of the marketing agreement and order subject to the assessments set forth in this section; (3) it is essential that the Raisin Administrative Committee be enabled to obtain assessment funds promptly to defray expenses of administering the program; and (4) compliance with this section will not require any special preparation on the part of handlers.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Issued at Washington, D. C., this 12th day of January 1953, to become effective upon publication in the FEDERAL REGISTER.

[SEAL] CHARLES F BRANNAN,
Secretary of Agriculture.

[F. R. Doc., 53–485; Filed, Jan. 15, 1953; 8:50 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 46]

PART 608—DANGER AREAS

ALTERATIONS

The danger area alterations appearing hereinafter have been coordinated with the civil operators involved, the Army, the Navy, and the Air Force, through the Air Coordinating Committee, Airspace Subcommittee, and are adopted to become effective when indicated in order to promote safety of the flying public. Since a military function of the United States is involved, compliance with the notice, procedures, and effective date provisions of Section 4 of the Administrative Procedure Act is not required. Part 608 is amended as follows:

1. In § 608.13, the Pine Bluff, Arkansas area (D–135) published on January 24, 1952, in 17 F R. 715, is amended by changing the "Description by Geographical Coordinates" column to read: "A circular area with a radius of 5 miles, centered at lat. 34°21'00" N., long. 92°04'00" W excluding those portions which overlap Green Civil Airway No. 5, Blue Civil Airway No. 22, and the Pine Bluff Control Area."

2. In § 608.29, the Cotuit, Massachusetts, area (D–79) published on July 16, 1949, in 14 F. R. 4292, and amended on January 24, 1952, in 17 F R. 715, is further amended by changing the "Using Agency" column to read: "ComFair Quonset"

3. § 608.29, the Cuttyhunk, Massachusetts, area (D–75), published on July 16, 1949, in 14 F R. 4292, is amended by changing the "Using Agency" column to read: "ComFair Quonset"

4. In § 608.29, the Long Pond, Massachusetts, area (D–97), published on July 16, 1949, in 14 F. R. 4292, is amended by changing the "Using Agency" column to read: "ComFair Quonset"

5. In § 608,29, the No Man's Land Island, Massachusetts, area (D–18), published on July 16, 1949, in 14 F R. 4292, is amended by changing the "Using Agency" column to read: "ComFair Quonset"

6. In § 608.29, the North Eastham, Massachusetts, area (D–17), published on July 16, 1949, in 14 F R. 4292, and amended on January 24, 1952, in 17 F R. 715, is further amended by changing the "Using Agency" column to read: "ComFair Quonset"

7. In § 608.29, the Westport Point, Massachusetts, area (D–4), published on July 16, 1949, in 14 F R. 4292, is amended by changing the "Using Agency" column to read: "ComFair Quonset"

8. In § 608.29, the Woods Hole, Massachusetts, area (D–13), published on July 16, 1949, in 14 F R. 4292, and amended on January 24, 1952, in 17 F. R. 715, is further amended by changing the "Using Agency" column to read: "ComFair Quonset"

9. In § 608.37, the Isle of Shoals, New Hampshire, area (D–96) published on July 16, 1949, in 14 F. R. 4293, is amended by changing the "Using Agency" column to read: "ComFleet Air Det Brunswick"

10. In § 608.37, the New Boston, New Hampshire, area (D–48) published on July 16, 1949, in 14 F. R. 4293, is amended by changing the "Using Agency" column to read: "ComFair Quonset and Grenier AFB"

11. In § 608.40, the Gardiner's Island, New York, area (D–19), published on July 16, 1949, in 14 F. R. 4293, is amended by changing the "Using Agency" column to read: "ComFair Quonset"

12. In § 608.47, the Block Island Sound, Rhode Island, area (D–90), published on July 16, 1949, in 14 F R. 4295, is amended by changing the "Using Agency" column to read: "ComFair Quonset and Fleet Training Group, Narragansett Bay"

13. In § 608.47, the Cormorant Rock, Rhode Island, area (D–98), published on July 16, 1949, in 14 F. R. 4295, is amended by changing the "Using Agency" column to read: "ComFair Quonset"

14. In § 608.47, the Jamestown, Rhodo Island, area (D–15), published on July 16, 1949, in 14 F. R. 4295, is amended by changing the "Using Agency" column to read: "ComFair Quonset"

15. In § 608.51, the Del Rio, Texas, area (D–425), published on November 22, 1952, in 17 F R. 10643, is amended by changing the "Designated Altitudes" column to read: "Surface to 30,000 ft. MSL"

16. In § 608.51, a Laughlin AFB, Texas, area is added to read:

Name and location (chart)	Description by geographical coordinates	Designated altitudes	Time of designation	Using agency
LAUGHLIN AFB (D-427) (Del Rio Chart).	Beginning at lat. 29°43'45" N., long. 101°01'15" W., southerly along Devils River to lat. 29°38'45" N., long. 100°59'00" W., due S. to lat. 29°38'25" N., due W. to long. 101°04'00" W., NW. to lat. 29°40'30" N., long. 101°07'00" W., due N. to lat. 29°43'45" N., due E. to lat. 29°43'45" N., long. 101°01'15" W., point of beginning.	Surface to 30,000 feet MSL.	Daylight hours only, 7 days a week.	Laughlin AFB, Del Rio, Tex.

17. In § 608.63, the Culebra Island, Puerto Rico, area (D-366) published on October 31, 1951, in 16 F R. 11068, is amended by changing the "Time of Designation" column to read: "Unlimited, but only after issuance of NOTAMS by the Commandant, 10th Naval District, at least 48 hours prior to firing. NOTAMS to contain information concerning time of cessation of firing."

18. In § 608.63, the Vieques Island, Puerto Rico, area (D-367) published on October 31, 1951, in 16 F. R. 11068, is amended by changing the "Time of Designation" column to read: "Unlimited, but only after issuance of NOTAMS by the Commandant, 10th Naval District, at least 48 hours prior to firing. NOTAMS to contain information concerning time of cessation of firing."

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

This amendment shall become effective on January 8, 1953.

[SEAL] F. B. LEE,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 53-367; Filed, Jan. 14, 1953; 8:45 a. m.]

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Federal Security Agency

PART 3—STATEMENTS OF GENERAL POLICY OR INTERPRETATION

NOTICE TO MANUFACTURERS AND REPACKERS OF OPHTHALMIC SOLUTIONS

Pursuant to section 3 of the Administrative Procedure Act (60 Stat. 237, 238; 5 U. S. C. 1002) the following statement of policy is issued:

§ 3.28 *Notice to manufacturers and repackers of ophthalmic solutions.* (a) Investigations by pharmaceutical manufacturers, physicians, and the Food and Drug Administration have revealed that liquid preparations for ophthalmic use contaminated with viable microorganisms have been responsible for serious eye injuries and, in some cases, complete loss of vision. The Food and Drug Administration has conducted a survey of medical opinion and has found that it is the consensus of informed persons that such preparations should be sterile. It is evident that liquid preparations offered or intended for ophthalmic use purport to be of such purity and quality as to be suitable for safe use in the eye. The Federal Security Agency concludes that such preparations fall below their professed standard of purity or quality and may be unsafe for use if they are not sterile. Accordingly, liquid preparations offered or intended for ophthalmic use which are not sterile may be regarded as adulterated within the meaning of section 501 (c) of the Federal Food, Drug, and Cosmetic Act and, further, may be misbranded within the meaning of section 502 (j) of the act.

(b) Liquid ophthalmic preparations packed in multiple-dose containers should (1) contain one or more suitable and harmless substances that will prevent the growth of micro-organisms, or should (2) be so packaged as to volume and type of container and so labeled as to duration of use and necessary warnings as will afford adequate protection and minimize the hazard of injury resulting from contamination during use.

(Sec. 701, 52 Stat. 1055; 21 U. S. C. 371. Interprets or applies secs. 501, 502, 52 Stat. 1049, 1050; 21 U. S. C. 351, 352)

Dated: January 12, 1953.

[SEAL] RUFUS E. MILES, Jr.,
Acting Administrator.

[F. R. Doc. 53-478; Filed, Jan. 15, 1953; 8:49 a. m.]

PART 141—TESTS AND METHODS OF ASSAY FOR ANTIBIOTIC AND ANTIBIOTIC-CONTAINING DRUGS

PART 146—CERTIFICATION OF BATCHES OF ANTIBIOTIC AND ANTIBIOTIC-CONTAINING DRUGS

MISCELLANEOUS AMENDMENTS

By virtue of the authority vested in the Federal Security Administrator by the provisions of section 507 of the Federal Food, Drug, and Cosmetic Act (52 Stat. 1040, 1055, as amended by 59 Stat. 463, 61 Stat. 11, 63 Stat. 409; 21 U. S. C. 357), the regulations for tests and methods of assay for antibiotic and antibiotic-containing drugs (21 CFR, 1951 Supp. 141) and certification of batches of antibiotic and antibiotic-containing drugs (21 CFR, 1951 Supp. 146) are amended as indicated below:

1. Part 141 is amended by adding the following new section:

§ 141.59 *Penicillin-streptomycin-bacitracin dental paste, penicillin-dihydrostreptomycin-bacitracin dental paste—* (a) *Potency—*(1) *Content of penicillin, streptomycin, and dihydrostreptomycin.* Proceed as directed in § 141.35 (a). Its content of penicillin is satisfactory if it contains not less than 85 percent of the number of units it is represented to contain. Its content of streptomycin or dihydrostreptomycin is satisfactory if it contains not less than 85 percent of the number of milligrams it is represented to contain.

(2) *Bacitracin content.* Proceed as directed in § 141.37 (a) (2). Its content of bacitracin is satisfactory if it contains not less than 85 percent of the number of units it is represented to contain.

(b) *Moisture.* Proceed as directed in § 141.8 (b)

(c) *Sterility.* Proceed as directed in § 141.7 (b).

(Sec. 701, 52 Stat. 1055; 21 U. S. C. 371)

2. Part 146 is amended by adding the following new section:

§ 146.82 *Penicillin-streptomycin-bacitracin dental paste, penicillin-dihydrostreptomycin-bacitracin dental paste—* (a) *Standards of identity, strength, quality, and purity.* Penicillin-streptomycin-bacitracin dental paste and penicillin - dihydrostreptomycin - bacitracin dental paste is calcium penicillin, crystalline sodium or potassium penicillin, or procaine penicillin, streptomycin or dihydrostreptomycin, bacitracin, and sodium caprylate in a suitable and harmless base. Its moisture content is not more than 2 percent. It contains not less than 200,000 units of penicillin, not less than 2,000 units of bacitracin, and not less than 0.20 gram of streptomycin or dihydrostreptomycin per milliliter. The calcium penicillin or crystalline penicillin used conforms to the requirements of § 146.24 (a) except the limitation on penicillin K content, and except subparagraphs (1) and (4) of that paragraph, but its potency is not less than 300 units per milligram. The procaine penicillin used conforms to the requirements of § 146.44 (a) except subparagraph (3) of that paragraph. The streptomycin used conforms to the standards prescribed by § 146.101 (a) except subparagraphs (4) and (5) of that paragraph. The dihydrostreptomycin used conforms to the standards prescribed by § 146.103 except the standards for pyrogens and histamine. The bacitracin used conforms to the standards prescribed therefor by § 146.401 (a) except subparagraphs (1) and (4) of that paragraph, but its potency is not less than 30 units per milligram.

(b) *Packaging.* The drug shall be packaged in immediate containers of transparent glass which meet the test for tight containers as defined by the U. S. P. Each such glass container shall be so sealed that the contents cannot be used without destroying such seal and shall be closed by a substance through which a hypodermic needle may be introduced and withdrawn without destroying its effectiveness. The immediate container and closure shall be such as will not cause any change in the strength, quality, or purity of the contents beyond any limit therefor in applicable standards, except that minor changes so caused which are normal and unavoidable in good packaging, storage, and distribution practice shall be disregarded.

(c) *Labeling.* Each package of the drug shall bear on its label or labeling, as hereinafter indicated, the following:

(1) On the outside wrapper or container and the immediate container:

(i) The batch mark.

(ii) The number of units of penicillin and bacitracin, the number of milligrams of streptomycin or dihyrdostreptomycin, and the quantity of sodium caprylate in each milliliter of the batch.

(iii) The statement "For endodontic use only."

(iv) The statement "Expiration date ----------," the blank being filled in with the date which is not more than 6 months after the month during which the batch was certified.

(2) On the outside wrapper or container, the statement "Caution: Federal law prohibits dispensing without prescription."

(3) On the circular or other labeling within or attached to the package, if it is packaged for dispensing, adequate directions and warnings for its use by practitioners licensed by law to administer such drug.

(d) *Request for certification; samples.* (1) In addition to complying with the requirements of § 146.2, a person who requests certification of a batch of penicillin-streptomycin-bacitracin dental paste or penicillin-dihydrostreptomycin-bacitracin dental paste shall submit with his request a statement showing the batch mark, the number of packages of each size in such batch, the batch mark (and unless they were previously submitted) the dates of the latest tests and assays of the penicillin, streptomycin or dihydrostreptomycin, and bacitracin used in making the batch.

(2) Except as otherwise provided by subparagraph (4) of this paragraph, such person shall submit in connection with his request results of the tests and assays listed after each of the following, made by him on an accurately representative sample of:

(i) The batch; potency, sterility, and moisture.

(ii) The penicillin used in making the batch; potency, toxicity, sterility, moisture, *p*H, crystallinity if it is crystalline penicillin, heat stability if it is crystalline sodium or potassium penicillin, the penicilln G content if it is crystalline sodium or potassium penicillin G, and the procaine penicillin G content if it is procaine penicillin G.

(iii) The streptomycin or dihydrostreptomycin used in making the batch; potency, toxicity, sterility, moisture, *p*H, streptomycin content if it is dihydrostreptomycin, and crystallinity if it is crystalline dihydrostreptomycin sulfate.

(iv) The bacitracin used in making the batch; potency, toxicity, sterility, moisture, and *p*H.

(3) Except as otherwise provided by subparagraph (4) of this paragraph, such person shall submit in connection with his request, in the quantities hereinafter indicated, accurately representative samples of the following:

(i) The batch:

(*a*) For all tests except sterility: one package for each 500 packages in the batch, but in no case less than 5 packages or more than 12 packages.

(*b*) For sterility testing; 10 packages.

Such samples shall be collected by taking single packages at such intervals throughout the entire time of packaging the batch that the quantities packaged during the intervals are approximately equal.

(ii) The penicillin used making the batch:

(*a*) For all tests except sterility: 5 packages, or in the case of crystalline penicillin, 10 packages, each containing approximately equal portions of not less than 60 milligrams if it is not procaine penicillin, and not less than 300 milligrams if it is procaine penicillin.

(*b*) For sterility testing; 10 packages, each containing approximately equal portions of 300 milligrams.

Such samples shall be packaged in accordance with the requirements of § 146.24 (b) or § 146.44 (b)

(iii) The streptomycin or dihydrostreptomycin used in making the batch:

(*a*) For all tests except sterility: 5 packages containing approximately equal portions of not less than 0.5 gram.

(*b*) For sterility testing; 10 packages, each containing approximately equal portions of 0.5 gram.

Such samples shall be packaged in accordance with the requirements of § 146.101 (b)

(iv) The bacitracin used in making the batch:

(*a*) For all tests except sterility: 6 packages, each containing approximately equal portions of not less than 0.5 gram.

(*b*) For sterility testing; 10 packages, each containing approximately equal portions of 0.5 gram.

Such samples shall be packaged in accordance with the requirements of § 146.401 (b)

(v) In case of an initial request for certification, each other ingredient used in making the batch; one package of each containing approximately 5 grams.

(4) No result referred to in subparagraph (2) (ii) (iii), and (iv) of this paragraph, and no sample referred to in subparagraph (3) (ii) (iii) and (iv) of this paragraph, is required if such result or sample has been previously submitted.

(e) *Fees.* The fee for the services rendered with respect to each batch of penicillin-streptomycin-bacitracin dental paste or penicillin-dihydrostreptomycin-bacitracin dental paste under the regulations in this part shall be:

(1) $4.00 for each package in the samples submitted in accordance with paragraph (d) (3) (i) (*a*) (ii) (*a*), (iii) (*a*) (iv) (*a*) and (v) of this section.

(2) If the Commissioner considers that investigations, other than examination of such packages, are necessary to determine whether or not such batch complies with the requirements of § 146.3 for the issuance of a certificate, the cost of such investigations.

The fee prescribed by subparagraph (1) of this paragraph shall accompany the request for certification unless such fee is covered by an advance deposit maintained in accordance with § 146.8 (d)

(Sec. 701, 52 Stat. 1055; 21 U. S. C. 371)

This order, which provides for tests and methods of assay and certification of penicillin-streptomycin-bacitracin dental paste and penicillin-dihydrostreptomycin-bacitracin dental paste, shall become effective upon publication in the FEDERAL REGISTER, since both the public and the affected industry will benefit by the earliest effective date, and I so find.

Notice and public procedure are not necessary prerequisites to the promulgation of this order, and I so find, since it was drawn in collaboration with interested members of the affected industry and since it would be against public interest to delay providing for tests and methods of assay and certification of penicillin-streptomycin-bacitracin dental paste and penicillin-dihydrostreptomycin-bacitracin dental paste.

Dated: January 9, 1953.

[SEAL] RUFUS E. MILES, Jr.
Acting Administrator

[F. R. Doc. 53-477; Filed, Jan. 15, 1953; 8:49 a. m.]

PART 141—TESTS AND METHODS OF ASSAY FOR ANTIBIOTIC AND ANTIBIOTIC-CONTAINING DRUGS

PART 146—CERTIFICATION OF BATCHES OF ANTIBIOTIC AND ANTIBIOTIC-CONTAINING DRUGS

MISCELLANEOUS AMENDMENTS

By virtue of the authority vested in the Federal Security Administrator by the provisions of section 507 of the Federal Food, Drug, and Cosmetic Act (52 Stat. 1040, 1055, as amended by 59 Stat. 463, 61 Stat. 11, 63 Stat. 409; 21 U. S. C. 357) the regulations for tests and methods of assay for antibiotic and antibiotic-containing drugs (21 CFR, 1951 Supp. 141) and certification of batches of antibiotic and antibiotic-containing drugs (21 CFR, 1951 Supp. 146) are amended as indicated below:

1. Section 141.206 *Aureomycin ophthalmic* is amended by adding the following new paragraphs:

(c) *Sterility.* Proceed as directed in § 141.2, except that:

(1) Do not use penicillinase or the control tube in the test for bacteria.

(2) In lieu of the last sentence of § 141.2 (b) the batch meets the requirements of the test for bacteria if no tube shows growth.

(3) In lieu of the last sentence of § 141.2 (c) the batch meets the requirements of the test for molds and yeasts if no tube shows growth.

(d) *pH.* Proceed as directed in § 141.5 (b) using a solution prepared as directed in the labeling of the drug.

2. Section 141.304 *Chloramphenicol ophthalmic* is amended by adding the following new paragraph:

(c) *Sterility.* Proceed as directed in § 141.2, except that:

(1) Do not use penicillinase or the control tube in the test for bacteria.

(2) In lieu of the last sentence of § 141.2 (b) the batch meets the requirements of the test for bacteria if no tube shows growth.

(3) In lieu of the last sentence of § 141.2 (c) the batch meets the requirements of the test for molds and yeasts if no tube shows growth.

3. Section 141.408 *Bacitracin ophthalmic* is amended by adding the following new paragraph:

(d) *Sterility.* Proceed as directed in § 141.2, except that:

(1) Do not use penicillinase or the control tube in the test for bacteria.

(2) In lieu of the last sentence of § 141.2 (b) the batch meets the requirements of the test for bacteria if no tube shows growth.

(3) In lieu of the last sentence of § 141.2 (c) the batch meets the requirements of the test for molds and yeasts if no tube shows growth.

(Sec. 701, 52 Stat. 1055; 21 U. S. C. 371)

4a. In § 146.206 *Aureomycin ophthalmic* * * * the first sentence of paragraph (a) *Standards of identity* * * * is changed to read as follows: "Aureomycin ophthalmic is crystalline aureomycin, with or without one or more suitable and harmless preservatives, buffer substances, and diluents. It is sterile."

b. In § 146.206, paragraph (b) *Packaging,* last sentence, the words "distilled water U. S. P." are changed to read "sterile distilled water U. S. P."

c. Section 146.206 (c) (1) is amended by deleting the word "and" at the end of subdivision (iii), by changing the period at the end of subdivision (iv) to a semicolon, and by adding the following new subdivision:

(c) *Labeling.* * * *

(1) * * *

(v) If it contains preservatives, the name and quantity of each such substance.

d. In § 146.206, paragraph (d) (1) is amended by adding the following new sentence: "If such batch or any part thereof is to be packaged with a solvent, such request shall also be accompanied by a statement that such solvent conforms to the requirements prescribed therefor by this section."

e. Section 146.206 (d) (2) (i) is amended to read:

(d) *Request for certification; samples.* * * *

(2) * * *

(i) The batch; potency, sterility, moisture, and pH of the solution prepared as directed in its labeling.

f. Section 146.206 (d) (3) (i) is amended to read:

(3) * * *

(i) The batch:

(*a*) For all tests except sterility one immediate container for each 5,000 immediate containers in the batch, but in no case less than 20 immediate containers or more than 100 immediate containers.

(*b*) For sterility testing; 10 immediate containers.

Such samples shall be collected by taking single immediate containers at such intervals throughout the entire time of packaging the batch that the quantities packaged during the intervals are approximately equal.

g. In § 146.206, subparagraph (1) of paragraph (e) *Fees* is amended by changing the words "in accordance with paragraph (d) (3) (i)" to read "in accordance with paragraph (d) (3) (i) (*a*)"

5.a. In § 146.304 *Chloramphenicol ophthalmic* the first sentence of paragraph (a) *Standards of identity* * * * is amended to read: "Chloramphenicol ophthalmic is chloramphenicol, with or without one or more suitable and harmless preservatives, buffer substances, and diluents. It is sterile."

b. In § 146.304, paragraph (b) *Packaging,* last sentence; the words "distilled water U. S. P." are changed to read "sterile distilled water U. S. P."

c. Section 146.304 (c) (1) is amended by deleting the word "and" at the end of subdivision (iii), by changing the period at the end of subdivision (iv) to a semicolon, and by adding the following new subdivision:

(c) *Labeling.* * * *

(1) * * *

(v) If it contains preservatives, the name and quantity of each such substance.

d. In § 146.304, subparagraph (1) of paragraph (d) *Request for certification* * * * is amended by adding the following new sentence: "If such batch or any part thereof is to be packaged with a solvent, such request shall also be accompanied by a statement that such solvent conforms to the requirements prescribed therefor by this section."

e. Section 146.304 (d) (2) (i) is amended to read:

(2) * * *

(i) The batch; potency, sterility, and pH of the solution prepared as directed in its labeling.

f. Section 146.304 (d) (3) (i) is amended to read:

(3) * * *

(i) The batch:

(*a*) For all tests except sterility one immediate container for each 5,000 immediate containers in the batch, but in no case less than 20 immediate containers or more than 100 immediate containers.

(*b*) For sterility testing; 10 immediate containers.

Such samples shall be collected by taking single immediate containers at such intervals throughout the entire time of packaging the batch that the quantities packaged during the intervals are approximately equal.

g. In § 146.304, subparagraph (1) of paragraph (e) *Fees,* the words "in accordance with paragraph (d) (3) (i)" are changed to read "in accordance with paragraph (d) (3) (i) (*a*)"

6.a. In § 146.408 *Bacitracin ophthalmic,* paragraph (a) *Standards of identity* * * * is amended by changing the first sentence to read: "Bacitracin ophthalmic is bacitracin, with or without one on more suitable and harmless preservatives, local anesthetics, buffer substances, and diluents. It is sterile."

b. In § 146.408, paragraph (b) *Packaging,* last sentence, the words "distilled water U. S. P." are changed to read "sterile distilled water U. S. P."

c. Section 146.408 (c) (1) (iii) is amended to read:

(c) *Labeling.* * * *

(1) * * *

(iii) If it contains preservatives or local anesthetics the name and quantity of each such ingredient.

d. In § 146.408, subparagraph (1) of paragraph (d) *Request for certification* * * * is amended by adding the following new sentence: "If such batch or any part thereof is to be packaged with a solvent, such request shall also be accompanied by a statement that such solvent conforms to the requirements prescribed therefor by this section."

e. Section 146.408 (d) (2) (i) is amended to read:

(2) * * *

(i) The batch; potency, sterility, moisture, and pH of the solution prepared as directed in its labeling.

f. Section 146.408 (d) (3) (i) is amended to read:

(3) * * *

(i) The batch:

(*a*) For all tests except sterility one immediate container for each 5,000 immediate containers in the batch, but in no case less than 20 immediate containers or more than 100 immediate containers.

(*b*) For sterility testing; 10 immediate containers.

Such samples shall be collected by taking single immediate containers at such intervals throughout the entire time of packaging the batch that the quantities packaged during the intervals are approximately equal.

g. In § 146.408, subparagraph (1) of paragraph (e) *Fees,* the words "in accordance with paragraph (d) (3) (i)" are changed to read "in accordance with paragraph (d) (3) (i) (*a*)"

(Sec. 701, 52 Stat. 1055; 21 U. S. C. 371)

This order, which provides that the preparations aureomycin ophthalmic, chloramphenicol opthalmic, and bacitracin ophthalmic shall be sterile; for the optional use of one or more suitable and harmless preservatives in the manufacture of these drugs; and for a requirement that if they are packaged in combination with a container of a diluent such diluent shall be sterile distilled water U. S. P., shall become effective 90 days after publication in the FEDERAL REGISTER.

Dated: January 12, 1953.

[SEAL] RUFUS E. MILES, JR.,
Acting Administrator.

[F. R. Doc. 53-569; Filed, Jan. 15, 1953; 8:49 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter II—Fiscal Service, Department of the Treasury

Subchapter B—Bureau of the Public Debt

[1953 Dept. Circ. 418, Amdt. 7]

PART 309—ISSUE AND SALE OF TREASURY BILLS

ACCEPTANCE AT MATURITY

JANUARY 12, 1953.

Section 309.5 of Department Circular No. 418, as amended (31 CFR 309.5) as revised May 13, 1952 (17 F. R. 4561) is hereby further revised to read as follows:

§ 309.5 *Acceptance at maturity* Treasury bills will be acceptable at maturity value to secure deposits of public moneys; they will not bear the circulation privilege. The Secretary of the Treasury, in his discretion, when inviting tenders for Treasury bills, may provide that Treasury bills of any series will be acceptable at maturity value, whether at or before maturity, under such rules and regulations as he shall prescribe or approve, in payment of income and profits taxes payable under the provisions of the Internal Revenue Code. Any Treasury bills which by the terms of their issue may be accepted in payment of income and profits taxes may be surrendered to any Federal Reserve Bank or Branch, acting as fiscal agent of the United States, fifteen days or less before the date on which the taxes become due. The Federal Reserve Bank or Branch will issue receipts to the owners showing the face amount of the bills so surrendered. These receipts may be submitted in lieu of the bills on or before the specified tax payment dates to the Director of Internal Revenue for the district, with the owners' tax returns. Notes secured by Treasury bills are eligible for discount or rediscount at Federal Reserve Banks by member banks, as are notes secured by bonds and notes of the United States, under the provisions of section 13 of the Federal Reserve Act. They will be acceptable at maturity, but not before, in payment of interest or of principal on account of obligations of foreign governments held by the United States.

(R. S. 161, sec. 5, 40 Stat. 290, as amended, sec. 8, 50 Stat. 481, as amended; 5 U. S. C. 22, 31 U. S. C. 738a, 754)

Compliance with the notice, public procedure, and effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 60 Stat. 237) is deemed unnecessary with respect to this amendment which merely lays the foundation pursuant to which certain privileges may be extended to owners of Treasury bills.

[SEAL] JOHN W SNYDER,
Secretary of the Treasury.

[F. R. Doc. 53-479; Filed, Jan. 15, 1953; 8:49 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 17, Amdt. 9]

CPR 17—GASOLINES, NAPHTHAS, FUEL OILS AND LIQUEFIED PETROLEUM GASES, NATURAL GAS, PETROLEUM GAS, CASINGHEAD GAS AND REFINERY GAS

TRANSPORTATION AND TAXES

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 9 to Ceiling Price Regulation 17 is hereby issued.

STATEMENT OF CONSIDERATIONS

The accompanying amendment to Ceiling Price Regulation 17 clarifies the section dealing with transportation and also makes certain increases in ceiling prices permissible where transportation factors would otherwise disrupt normal industry practice.

Some difficulties have arisen under the regulation because of the stipulation that increases in ceiling prices shall not be in excess of increased transportation costs actually incurred. Strict adherence to this provision necessitates elaborate and burdensome accounting procedures where inventories were on hand before the transportation increase occurred. This amendment permits the ceiling price to reflect increased transportation costs as of the day the transportation increases are effective or on the effective date of this regulation if the transportation increase has already become effective.

The transportation section was not intended to permit increased ceiling prices based on higher transportation rates on crude or semi-finished stocks. The language of the amendment specifically excludes such increases as a basis of increasing ceiling prices. However, it is recognized that certain sellers must be permitted to reflect increases in inbound freight rates if a disruptive effect on the market is not to result. The great percentage of the products covered by this regulation are produced and sold by the major integrated petroleum companies. The transportation costs incurred by these sellers in the main are for outbound transportation. However, some blenders and resellers who must purchase their blending stocks or finished materials from these integrated companies incur inbound freight costs. The inbound freight they incur parallels the outbound freight of the integrated producers, who account for the greater part of the production, and who are in competition with the smaller independent resellers and blenders. To permit these smaller operators to retain their customary price relationship with those sellers supplying the bulk of these products, Ceiling Price Regulation 17 has permitted inbound freight increases on finished products as a basis for increased ceilings. This amendment extends this permission for these same reasons to those few sellers who incur inbound freight on products to be blended or further refined.

In the marketing of petroleum there are many instances where the market price of a product at a delivery point, while reflecting some elements of transportation, will not reflect the exact amount of freight that the individual seller incurs in making delivery to that point. Thus, a particular seller may use his freight cost in shipping product to one point in a pricing area for establishing prices throughout the pricing area. Again the seller may have had to absorb some freight because he has sold at a market price based on product shipped from a basing point. Conversely, he may have had an advantage in selling in a market where the price reflected freight from a point farther than his point of supply. In another situation a seller's market price may customarily reflect the rates for a means of transportation other than the means he actually uses, but which is the means normally used by most other sellers in that area. In order to maintain the stability of the market this regulation permits increases in ceiling prices based on the amount of increases in the transportation rate customarily used by the seller as a factor in his price if his base period prices reflected such customary rate. In this way sellers may not increase their ceiling prices more than they would have in ordinary practice, nor would those who had no or a lesser increase in transportation rates find themselves with ceiling prices that do not reflect their customary price relationship with other sellers in the market.

Instances have come to the attention of the Office of Price Stabilization where sellers have undertaken to raise ceiling prices because of a shift from a normal method of transportation or normal source of supply to a higher cost method of transportation or a source of supply incurring a higher transportation cost. It was not intended to provide for adjustment of ceiling prices because of cost increases resulting from shifts in source of supply. It is stated explicity in the amendment that such abnormal supply situations do not qualify the seller for an increase in his ceiling prices under the transportation section of the regulation.

The section of Ceiling Price Regulation 17 dealing with taxes is amended to require a reduction of ceiling prices corresponding to tax reduction where ceiling prices include taxes, as well as permitting ceiling prices to increase where taxes are increased.

In the formulation of this amendment there has been consultation with industry representatives, including trade association representatives, to the extent practicable, and consideration has been given to their recommendations.

In the judgment of the Director of Price Stabilization the changes set forth in these amendatory provisions are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

AMENDATORY PROVISIONS

1. Section 25 of Ceiling Price Regulation 17 is amended to read as follows:

SEC. 25. *Transportation.* (a) A seller may add to the applicable ceiling prices determined under other sections of this regulation an amount calculated in accordance with whichever of the following three methods conforms to his customary practice in the base period:

(1) A seller may add the increase in his unit cost resulting from transportation rate increases after January 25, 1951 permitted by Federal or State regulatory bodies or by the Office of Price Stabilization. Such increases may include excise taxes, which are a part of or are applicable to the increase. If the increase in transportation rates occurs after the effective date of this regulation the higher ceiling prices may be made effective on or after the day that the increased transportation rate goes into effect.

(2) Where the transportation of the product is in facilities owned or controlled by the seller and is in lieu of movement by a regulated carrier, he may add the unit increase that would be permitted him in subparagraph (1) of this paragraph, had he used such regulated carrier.

(3) Where a seller in accordance with his customary pricing practice included in his selling price during the base period the transportation rate from a point other than his own source of supply, or the transportation rate to a point in a pricing area other than the rate to the actual point of delivery, or the rate of a means of transportation other than that actually used by him, he may add the unit increase permitted by Federal or State regulatory bodies or by the Office of Price Stabilization in such transportation rate.

(b) A seller may round the additions to his ceiling price determined under this section to the nearest cent or fraction of a cent in accord with his customary practice. If a seller elects to round one ceiling price he must similarly round all his ceiling prices increased under this section to reflect decreases as well as increases.

(c) Under this section blenders or refiners may increase the ceiling price of a finished product or for a product which has been further processed only up to an amount which will reflect the proportionate freight increases of the various components or the proportionate freight increases for each refined product, except that increases in the cost of transporting crude petroleum and increases in the cost of transporting, for further processing, semi-finished materials between units or controlled subsidiaries of the same company shall in no case be used as the basis of increasing ceiling prices under this section.

(d) Nothing in this section shall authorize a seller to increase his ceiling prices as a result of higher transportation costs (including excise taxes thereon) caused by a change from the normal source of supply or a change to a different method of transportation.

(e) A seller adjusting his ceiling price under this section shall maintain a record of his adjustment and such records must substantiate that the adjustments relate directly to base period practice.

2. Section 26 is amended by adding to the section the following undesignated paragraph:

If such taxes are included in the ceiling prices established under the provisions of this regulation, and such tax is reduced or repealed after January 25, 1951, you must reduce your ceiling price by the amount of the tax reduction. You must also reduce your ceiling price by the amount of reduction in the ceiling price of your supplier due to a repeal or reduction of such a tax.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall become effective January 20, 1953.

NOTE: The record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

JOSEPH H. FREEHILL,
Director of Price Stabilization.

JANUARY 15, 1953.

[F. R. Doc. 53-644; Filed, Jan. 15, 1953; 4:00 p. m.]

[Ceiling Price Regulation 21, Amdt. 1]

CPR 21—COAL SOLD FOR DIRECT USE AS BUNKER FUEL

INCREASED TRANSPORTATION COSTS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 and Economic Stabilization Agency General Order No. 2, this Amendment 1 to Ceiling Price Regulation 21 is hereby issued.

STATEMENT OF CONSIDERATIONS

CPR 21 covers the operations of bunker fuel suppliers. Nearly all of them are lake dock operators (CPR 27) or tidewater dock operators (SR 4, GCPR) and some are retail coal dealers (SR 2, Rev. 1 GCPR) Prior to this amendment CPR 21 has permitted bunker fuel suppliers to add to their ceiling prices previously established the actual dollars-and-cents amount of increase in transportation costs which became effective after the base period but not later than the effective date of the regulation, i. e., April 10, 1951. This amendment eliminates the cut-off date so that all transportation cost increases which have or may occur after the base period may be passed on by the bunker fuel supplier, provided that such increases are authorized by the Director, the Interstate Commerce Commission, or other regulatory body.

Transportation costs account for 30 percent to 50 percent of the cost of acquisition of bunker fuels. Where transportation costs constitute such a substantial part of the total delivered costs of a commodity it has been found necessary in other regulations to permit a pass-through of increased freight costs—e. g. GCPR, SR 2 (Retail Coal Dealers) GCPR, SR 4 (Tidewater Coal Dock Dealers), and CPR 27 (Lake Coal Dock Operators). The increased transportation costs incurred by bunker fuel suppliers are the same as those incurred by retail coal dealers, tidewater coal dock dealers, and lake coal dock operators. This amendment provides similar treatment for bunker fuel suppliers as has been given to other solid fuels dealers, and removes any possible discrimination which may heretofore have existed.

In order to maintain the relationship between ceiling prices and ceiling weighted average realization, bunker fuel suppliers may also add the same dollar-and-cents amount of transportation cost increases to the ceiling weighted average realization established under CPR 21.

In the judgment of the Director of the Office of Price Stabilization, the provisions of this amendment are generally fair and equitable, and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

So far as practicable the Director of Price Stabilization gave due consideration to the national defense effort to achieve the maximum production in the furtherance of the objectives of the Defense Production Act of 1950, as amended.

In the formulation of this amendment there has been consultation with industry representatives, including trade association representatives, to the extent practicable, and consideration has been given to their recommendations.

AMENDATORY PROVISIONS

Ceiling Price Regulation 21 is hereby amended in the following respect:

1. Section 4 (d) (1) is amended to read as follows: (1) transportation costs, rail and/or water from the mine to the point of delivery that has or may become effective since the base period, *Provided,* Such increase in transportation costs was authorized by the Director, an order of the Interstate Commerce Commission, or any regulatory body of a state, territory or possession of the United States, *And provided further* That the authority to increase the ceiling weighted average realization and the ceiling prices of each size, grade, grouping or other classification by the exact amount of increase in transportation costs shall be effective only upon receipt by the supplier of bunker fuel of a carrier's invoice, freight bill or other statement of transportation charges for each such size, grade, grouping or other classification, reflecting the increased freight charges and required to be paid by the supplier of bunker fuel.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 1 shall become effective January 15, 1953.

JOSEPH H. FREEHILL,
Director of Price Stabilization.

JANUARY 15, 1953.

[F. R. Doc. 53-640; Filed, Jan. 15, 1953; 11:42 a. m.]

[Ceiling Price Regulation 22, Amendment 1 to Supplementary Regulation 31]

CPR 22—MANUFACTURERS' GENERAL CEILING PRICE REGULATION

SR 31—ADJUSTMENTS IN CEILING PRICES OF MIXED FERTILIZERS ON BASIS OF INCREASED FREIGHT RATES

ESTABLISHING UNIFORM CEILING PRICES AT MORE THAN ONE PLANT

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 1 to Supplementary Regulation 31 to Ceiling Price Regulation 22 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to Supplementary Regulation 31 to Ceiling Price Regulation 22 authorizes a manufacturer who operates more than one plant and maintained the practice of establishing a uniform selling price for mixed fertilizers produced at his different plants located in a single pricing area to establish a ceiling price for such product under Supplementary Regulation 31 which will be uniformly applicable to each of his plants in that area.

A few producers operate more than one plant within a single pricing area for the production and sale of mixed fertilizers and bagged superphosphate. Some of these pricing areas cover a large territory and there are substantial differences in the costs of transportation to and from different points within a pricing area. It has been customary for these producers to average both their incoming and outgoing freight costs for their different plants in order that they may establish a selling price for their product which would be applicable uniformly throughout the pricing area. This amendment permits such a producer to adjust his ceiling prices for his different plants in accordance with a prescribed formula determined under Supplementary Regulation 114 so as to establish a uniform ceiling price for the same product which will apply to each plant of that producer.

In the formulation of this amendment there has been consultation with industry representatives, including trade association representatives, to the extent practicable, and consideration has been given to their recommendations.

AMENDATORY PROVISIONS

1. Paragraph (b) of section 2 is redesignated paragraph (c) and is amended by changing the words "paragraph (a)" to "paragraphs (a) and (b)"

2. A new paragraph (b) of section 2 is added to read as follows:

(b) *Uniform ceiling prices for mixed fertilizers produced in more than one plant.* If you produce mixed fertilizers at more than one plant and if you have customarily sold any of these mixed fertilizers from these plants at a uniform price, you may adjust your ceiling prices for the mixed fertilizer under this supplementary regulation so as to establish a uniform ceiling price at these plants. To do this, you first determine the ceiling price for the mixed fertilizer at each of the plants under paragraph (a) of this section and multiply it by the number of units of the mixed fertilizer sold from that plant during the first six months of 1952. You then divide the total dollar amount of such sales from all plants where the commodity was sold at a uniform price by the total number of units sold from all such plants. The resulting figure is your uniform ceiling price for the commodity.

3. Paragraph (c) of section 2 is redesignated paragraph (d)

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment to Supplementary Regulation 31 to Ceiling Price Regulation 22 is effective January 20, 1953.

JOSEPH H. FREEHILL,
Director of Price Stabilization.

JANUARY 15, 1953.

[F. R. Doc. 53-646; Filed, Jan. 15, 1953; 4:00 p. m.]

[Ceiling Price Regulation 34, Supplementary Regulation 35]

CPR 34—SERVICES

SR 35—HANDLING AND STORAGE OF PEANUTS UNDER COMMODITY CREDIT CORPORATION WAREHOUSE CONTRACTS FOR THE UNITED STATES DEPARTMENT OF AGRICULTURE

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Supplementary Regulation 35 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This supplementary regulation to Ceiling Price Regulation 34 establishes dollars and cents ceiling prices for warehouse handling and storage of peanuts for the Commodity Credit Corporation.

The rates paid by the Commodity Credit Corporation for the storage and handling of peanuts have been constant since 1944. Between 1944 and the present time, the costs of operation of the warehouses providing these services have increased substantially. In addition, the 1952 contracts require that the warehousemen guarantee the maintenance of the grade and quality of the peanuts delivered to them by the Commodity Credit Corporation. This is a function, demanding increased responsibility and involving additional costs, which has never before been assumed by the warehousemen, and, if effective during the 1951 season, would have cost the warehousemen an additional $4.00 per ton according to Department of Agriculture statistics. Officials of the Commodity Credit Corporation have spent many months negotiating these contracts and are of the opinion that these services cannot be obtained at rates less than those set forth herein. These officials have advised the Director of Price Stabilization that, unless the increased rates are made effective, the warehousemen will not be able to furnish the services required under the Commodity Credit Corporation warehouse contracts.

The Commodity Credit Corporation plans to use two separate contracts for the handling and storage of peanuts. These contracts are known as CCC Contract No. 28 and CCC Contract No. 29. CCC Contract 29 establishes two separate storage rates: a rate for commingled peanuts, and a rate for peanuts stored with identity preserved. The terms of CCC Contract 29 require fire insurance coverage where peanuts are stored on a commingled basis, thus accounting for the twenty (20) cents per ton per month differential between these rates and the other rates established under CCC Contract 29. For the same reason the identical rate differential exists between the storage rates for commingled peanuts under CCC Contract 29 and the rates established under CCC Contract 28. This regulation prescribes ceiling rates for the warehouse handling and storage of peanuts under each of these contracts.

In the formulation of this regulation there have been no consultations with representatives of industry. Such consultations have been deemed unnecessary since the matter has been fully discussed with representatives of the Commodity Credit Corporation. In the judgment of the Director of Price Stabilization, the ceiling prices established by this regulation are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

REGULATORY PROVISIONS

Sec.
1. What this regulation does.
2. Relationship to CPR 34.
3. Ceiling prices.

AUTHORITY: Sections 1 to 3 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup. 2101-2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. *What this regulation does.* This regulation establishes dollar and cents ceiling prices for the handling and storage of peanuts under Commodity Credit Corporation warehouse contracts.

SEC. 2. *Relationship to CPR 34.* All provisions of CPR 34, as amended, except as changed by the pricing provisions of this supplementary regulation, shall remain in full force and effect.

SEC. 3. *Ceiling prices.* The ceiling prices which may be charged the Commodity Credit Corporation for the handling and storage of peanuts shall be as follows:

UNDER PEANUT RECEIVING AND WAREHOUSE CONTRACT, FORM CCC 28

	For bulk peanuts	For peanuts in bags
	Per ton	*Per ton*
(a) Handling charges, in	$2.00	$2.25
(b) Handling charges, out	$2.00	$2.25
(c) Storage	$0.25 per ton, whether in bulk or in bags, in the case of peanuts in storage 15 days or less; or $0.45 per ton per month or any fraction thereof in the case of peanuts in storage for more than 15 days.	

UNDER PEANUT STORAGE CONTRACT, FORM CCC 29

	For bulk peanuts	For bagged peanuts
(a) Handling charges, in	Per ton $2.00	Per ton $2.25
(b) Handling charges, out	$2.00	$2.25
(c) Storage (commingled)	$0.35 per ton, whether in bulk or in bags, in the case of peanuts in storage 15 days or less; or $0.65 per ton per month or any fraction thereof in the case of peanuts in storage for more than 15 days.	

For peanuts stored identity preserved, the storage rate shall be $0.25 per ton for storage of 15 days or less and $0.15 per ton per month or any fraction thereof in the case of peanuts in storage for more than 15 days.

Effective date. This Supplementary Regulation 35 to Ceiling Price Regulation 34 shall become effective January 20, 1953.

JOSEPH H. FREEHILL,
Director of Price Stabilization.

JANUARY 15, 1953.

[F. R. Doc. 53-647; Filed, Jan. 15, 1953; 4:01 p. m.]

[Ceiling Price Regulation 63, Amdt. 2]

CPR 63—LUBRICATING OILS, GREASES, WAXES AND CERTAIN OTHER PETROLEUM PRODUCTS

TRANSPORTATION

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 2 to Ceiling Price Regulation 63 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to Ceiling Price Regulation 63 revises the provisions of section 18, which deal with increased transportation costs. First, it eliminates the "cut-off" date of May 15, 1951, so as to permit transportation rate increases effective after that date to be passed on to the purchaser in the same manner as those transportation rate increases effective between January 26, 1951 and May 15, 1951. Second, it permits the pass-through of certain inbound freight increases in those situations where such inbound freight parallels outbound freight for the majority of the industry. Third, it permits a seller to increase his ceiling price to reflect increases in the transportation rate he used during the base period in accordance with his customary practice as a factor in his price, even though he does not actually use such facilities or actually incur the exact amount of such increases. Fourth, it permits sellers to round their increased ceiling prices according to customary base period practices.

Because of the number and size of the increases in transportation rates that have occurred since the "cut-off" date in this regulation and their significance in the marketing of the products covered by CPR 63, it is considered advisable to eliminate the "cut-off" date in line with the policy underlying similar action by the Office of Price Stabilization as expressed in other regulations, such as Supplementary Regulations 120 and 122 to the General Ceiling Price Regulation, Supplementary Regulation 35 to Ceiling Price Regulation 22, and others. Accordingly, Ceiling Price Regulation 63, as changed by this amendment, will permit increases in ceiling prices to reflect increases in outbound transportation costs resulting from authorized rate increases effective since May 15, 1951.

The transportation section was not intended to permit increased ceiling prices based on higher transportation rates on crude or semi-finished stocks. The language of the amendment specifically excludes such increases as a basis of increasing ceiling prices. However, it is recognized that certain sellers must be permitted to reflect increases in inbound freight rates if a disruptive effect on the market is not to result. The great percentage of the products covered by this regulation are produced and sold by the major integrated petroleum companies. The transportation costs incurred by these sellers in the main are for outbound transportation. However, other compounders, blenders and refiners who must purchase their blending stocks or semifinished materials from these integrated companies incur inbound freight costs. The inbound freight they incur parallels the outbound freight of the integrated producers, who account for the greater part of the production, and who are in competition with the smaller independent compounders and blenders. To permit these smaller operators to retain their customary price relationship with those sellers supplying the bulk of these products, this amendment permits inbound freight increases on semifinished products as a basis for increased ceilings except where shipment is between units of the same company.

In the marketing of petroleum there are many instances where the market price of a product at a delivery point, while reflecting some elements of transportation, will not reflect the exact amount of freight that the individual seller incurs in making delivery to that point. Thus, a particular seller may use his freight cost in shipping product to one point in a pricing area for establishing prices throughout the pricing area. Again the seller may have had to absorb some freight because he has sold at a market price based on product shipped from a basing point. Conversely, he may have had an advantage in selling in a market where the price reflected freight from a point farther than his point of supply. In another situation a seller's market price may customarily reflect the rates for a means of transportation other than the means he actually uses, but which is the means normally used by most other sellers in that area. In order to maintain the stability of the market this regulation permits increases in ceiling prices based on the amount of increases in the transportation rate customarily used by the seller as a factor in his price if his base period prices reflected such customary rate. In this way sellers may not increase their ceiling prices more than they would have in ordinary practice, nor would those who had no or a lesser increase in transportation rates find themselves with ceiling prices that do not reflect their customary price relationship with other sellers in the market.

Instances have come to the attention of the Office of Price Stabilization where sellers have attempted to raise ceiling prices because of a shift from a normal method of transportation or normal source of supply to a higher cost method of transportation or a source of supply incurring a higher transportation cost. It was not intended to provide for adjustment of ceiling prices because of cost increases resulting from shifts in source of supply. It is stated explicitly in the amendment that such abnormal supply situations do not qualify the seller for an increase in his ceiling prices under the transportation section of the regulation.

In the formulation of this amendment there has been consultation with industry representatives, including trade association representatives, to the extent practicable, and consideration has been given to their recommendations.

In the judgment of the Director of Price Stabilization the changes set forth in these amendatory provisions are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

AMENDATORY PROVISIONS

Section 18 of Ceiling Price Regulation 63 is amended to read as follows:

SEC. 18. *Transportation.* (a) A seller may add to the applicable ceiling prices determined under other sections of this regulation an amount calculated in accordance with whichever of the following three methods conforms to his customary practice in the base period:

(1) A seller may add the increase in his unit cost resulting from transportation rate increases after January 25, 1951 permitted by Federal or State regulatory bodies or by the Office of Price Stabilization. Such increases may include excise taxes, which are a part of or are applicable to the increase. If the increase in transportation rates occurs after the effective date of this regulation the higher ceiling prices may be made effective on or after the day that the increased transportation rate goes into effect.

(2) Where the transportation of the product is in facilities owned or controlled by the seller and is in lieu of movement by a regulated carrier, he may add the unit increase that would be permitted him in subparagraph (1) of this paragraph, had he used such regulated carrier.

(3) Where a seller in accordance with his customary pricing practice included in his selling price during the base period the transportation rate from a point other than his own source of supply, or the transportation rate to a point in a pricing area other than the rate to the actual point of delivery, or the rate of a means of transportation other than that actually used by him, he may add the unit increase permitted by Federal or

State regulatory bodies or by the Office of Price Stabilization in such transportation rate.

(b) A seller may round the additions to his ceiling price determined under this section to the nearest cent or fraction of a cent in accord with his customary practice. If a seller elects to round one ceiling price he must similarly round all his ceiling prices increased under this section to reflect decreases as well as increases.

(c) Not included as the basis of increasing ceiling prices under this section are increases in the cost of transporting crude petroleum and increases in the cost of transporting, for further processing, semifinished materials between units or controlled subsidiaries of the same company. Under this section compounders, blenders or refiners may increase the ceiling price of a finished product or for a product which has been further processed, only up to an amount which will reflect the proportionate freight increases of the various components or the proportionate freight increases for each refined product.

(d) Nothing in this section shall authorize a seller to increase his ceiling prices as a result of higher transportation costs (including excise taxes thereon) caused by a change from the normal source of supply or a change to a different method of transportation.

(e) A seller adjusting his ceiling price under this section shall maintain a record of his adjustment and such records must substantiate that the adjustments relate directly to base period practice.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C., App. Sup. 2154)

Effective date. This amendment shall become effective January 20, 1953.

NOTE: The record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

JOSEPH H. FREEHILL,
Director of Price Stabilization.

JANUARY 15, 1953.

[F. R. Doc. 53-643; Filed, Jan. 15, 1953; 4:00 p. m.]

[Ceiling Price Regulation 117, Revision 1, Supplementary Regulation 1]

CPR 117, REV. 1—MALT BEVERAGES

SR 1—ADJUSTMENT OF CEILING PRICES FOR SALES IN CERTAIN COUNTIES IN NEW YORK STATE

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Supplementary Regulation 1 to Revision 1 of Ceiling Price Regulation 117 is hereby issued.

STATEMENT OF CONSIDERATIONS

This supplementary regulation to CPR 117, Revision 1, permits brewers in the New York State Counties of Erie, Niagara, Chautauqua, and Cattaraugas (the four counties) to adjust their ceiling prices for sales of malt beverages in these four counties by an amount sufficient to reflect normal dollar-and-cent differentials between the prices for sales of malt beverages in those counties and the prices for sales in the adjoining New York State Counties of Orleans, Genesee, and Wyoming. This adjustment is also applicable to "importing wholesalers"—i. e., wholesalers selling malt beverages to purchasers in the four counties only from selling units located outside the four counties.

In addition, provision is made for malt beverages wholesalers to increase their ceiling prices by the exact amount of the increase, pursuant to this supplementary regulation, in their suppliers' ceiling prices for sales to them. No provision for retailers is necessary in this supplementary regulation since Article V of CPR 117, Revision 1, already provides for adjustments in retailers' ceiling prices to reflect any cost changes incurred by them.

This action is taken by the Office of Price Stabilization (OPS) since it recognizes that the base period used in CPR 117, Revision 1, although otherwise a fair base period from which to determine prices, has resulted in substantial hardship in this case due to a series of unusual circumstances. Since this case is, to the knowledge of OPS, a unique one, it is judged desirable to deal with it by the issuance of this supplementary regulation rather than by an amendment to CPR 117, Revision 1.

During a serious strike of the employees of brewers located in Buffalo, Erie County, New York, in May and June of 1949, sales of malt beverages by those brewers were discontinued in the four counties. As a result, there was a great influx of the products of outside brewers into the four counties to take advantage of the increased market for sales afforded by the Buffalo brewers' stoppage in production.

After the termination of the strike, the outside brewers continued to distribute their products in the four counties in competition with the products of the Buffalo brewers. There was, consequently, an abnormally high number of brewers competing in the four counties. The resulting competition was so severe that prices were forced down and there was a widening of the customary differentials between the prices charged in the four counties and the prices charged in the adjoining counties. Moreover, before the end of the strike and the beginning of the base period designated in CPR 117, Revision 1 (May 24, 1950 to June 24, 1950) increased costs resulted in general increases in malt beverage prices throughout New York State, but the competitive situation in the four counties prevented similar price increases to reflect those higher costs.

This competitive situation eased up after June 24, 1950, and before the "freeze period" contained in the General Ceiling Price Regulation the brewers had again established normal differentials between the prices charged for malt beverages in the four counties and in the adjoining counties. Hardship, however, has resulted from the application of CPR 117, Revision 1, which directs the sellers to use May 24, 1950, to June 24, 1950, as the base period from which prices generally are to be determined.

This supplementary regulation, use of which is entirely optional, provides that brewers may increase their ceiling prices for sales of malt beverages in the above-named four counties, by an amount sufficient to reflect the dollar-and-cent differentials which existed on April 30, 1949, (the day before the start of the strike) between the prices for sales in those counties and the prices for sales in the adjoining counties of Orleans, Genesee, and Wyoming. If a brewer does not now, or did not on April 30, 1949, sell a particular item in those adjoining counties he may apply to OPS for an adjusted ceiling price in line with those otherwise established under CPR 117, Revision 1, and this supplementary regulation. Although there is no evidence that brewers, other than those in Buffalo, have incurred any substantial hardship, it is necessary to make this supplementary regulation applicable to all brewers selling in the four counties so as not to disrupt the normal market relationship between the prices of all malt beverages sold there. For the same reason, it is necessary to make the provisions of this supplementary regulation which apply to brewers, applicable to "importing wholesalers" who sell to purchasers in the four counties only from selling units located outside those counties.

It is also provided that malt beverage wholesalers may increase their ceiling prices by the exact amount of the increase, under this supplementary regulation, in their suppliers' ceiling prices for sales to them. Wholesalers of brands brewed outside the four counties, and brewers in the four counties, compete closely for sales to retailers, and the prices those sellers charge customarily bear a fixed dollar-and-cent relationship to each other. Consequently, wholesalers are not given a percentage margin over their suppliers' ceiling price increases because it would distort that customary price relationship. Moreover, since wholesalers' CPR 117, Rev. 1, ceiling prices are based on the so-called "industry-earnings standard" and already reflect a greater percentage margin than is required to be reflected under section 402 (k) (the Herlong Amendment) of the Defense Production Act of 1950, as amended, the OPS is not legally required to give them a percentage margin over their suppliers' price increases.

In the formulation of this supplementary regulation, the Director of Price Stabilization has consulted with industry representatives, including trade association representatives, to the extent practicable and has given consideration to their recommendations. In his judgment the provisions of this supplementary regulation are generally fair and equitable, are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended, and comply with the applicable standards of that Act.

REGULATORY PROVISIONS

Sec.
1. What this supplementary regulation does.
2. Applicability.
3. Brewers' and importing wholesalers' ceiling price adjustments.

Sec.
4. Wholesalers' ceiling price adjustments.
5. Continued applicability of CPR 117, Revision 1.
6. Definitions.

AUTHORITY: Sections 1 to 6 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2101–2110, E. O. 10161, Sept. 9, 1950; 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. *What this supplementary regulation does.* This supplementary regulation provides for the adjustment of ceiling prices of brewers and importing wholesalers (defined in section 6) for sales of malt beverages in the New York State Counties of Erie, Niagara, Chautauqua, and Cattaraugus. It also provides for the adjustment of wholesalers' ceiling prices to reflect any cost increases incurred by them as a result of ceiling price increases calculated by brewers under this supplementary regulation. As for retailers, Ceiling Price Regulation (CPR) 117, Revision 1 (Rev. 1) already contains provisions for adjustment of their ceiling prices to reflect cost changes. Use of this supplementary regulation by the brewers, importing wholesalers, and wholesalers covered is entirely optional.

SEC. 2. *Applicability.* This supplementary regulation applies in the 48 States of the United States and in the District of Columbia.

SEC. 3. *Brewers' and importing wholesalers' ceiling price adjustments*—(a) *Calculation of adjusted ceiling prices.* If you are a brewer or an importing wholesaler, you may adjust your ceiling prices for sales of malt beverages to a particular group of purchasers (either wholesalers, retailers, or consumers) in the New York State Counties of Erie, Niagara, Chautauqua, and Cattaraugus (the "four counties") to reflect the same dollar-and-cent differential as existed on April 30, 1949, between your selling price for sale of the item to that group of purchasers in the four counties and your selling price for sale of that item to the same group of purchasers in the New York State Counties of Orleans, Genesee, or Wyoming. In addition, you must comply with the notice provisions of section 28 (b) of CPR 117, Rev. 1, if you are a brewer, or section 38 (b) of that regulation, if you are an importing wholesaler, except that the written notice you give under sections 28 (b) or 38 (b) must be headed as follows: NOTICE OF CEILING PRICES UNDER SUPPLEMENTARY REGULATION 1 TO CPR 117, REV. 1.

EXAMPLE: On April 30, 1949, you were selling cases of 24/12-ounce returnable bottles of X Brand beer to retailers in Erie County, New York, for $2.15 per case, and to retailers in Genesee County, New York for $2.30. The dollar-and-cent differential between these prices is 15¢. Your CPR 117, Rev. 1, ceiling prices for sales of that item to retailers in Erie County is $2.25 and to retailers in Genesee is $2.70. You may, therefore, adjust your ceiling price under this supplementary regulation for sales of the item to retailers in Erie County to $2.55, which is 15¢ less than your $2.70 ceiling price for sales to retailers in Genesee County.

(b) *Application for adjusted ceiling prices.* If you are a brewer or an importing wholesaler and cannot determine an adjusted ceiling price under paragraph (a) of this section, for a sale of an item to either wholesalers, retailers, or consumers in the New York State Counties of Erie, Niagara, Chautauqua, and Cattaraugus, because on April 30, 1949, you did not, or you do not now, sell that item to the particular group of purchasers in Orleans, Genesee, or Wyoming County, you may apply to the OPS, Alcoholic Beverage Section, Washington 25, D. C., for that adjusted ceiling price. Your application must be in writing, signed by you or a duly authorized officer, and must contain the following information:

(1) Your name and address.

(2) A statement that the application is filed under "section 3 (b) of SR–1 to CPR 117, Rev. 1"

(3) A description of the item for which you wish an adjusted ceiling price (that is, the item's brand, type, container size, container type and, if sold in bottles or cans, its case size), the group of purchasers (either wholesalers, retailers, or consumers) to whom you wish to sell it; and your unadjusted ceiling price (determined without reference to this supplementary regulation) for sale to that group of purchasers.

(4) An explanation why you cannot determine your adjusted ceiling price under section 3 (a) of this supplementary regulation.

(5) The names and addresses of two brewers who you believe are selling items in Erie, Niagara, Chautauqua, or Cattaragus Counties which are most closely competitive with the item to which your application applies; a description (that is, the brand, type, container size, container type and, if sold in bottles or cans, case size) of those most closely competitive items; and (if you can obtain the information) both the unadjusted ceiling prices, determined without reference to this supplementary regulation, for sales of those most closely competitive items to the group of purchasers to whom you wish to sell, and the ceiling prices adjusted under this supplementary regulation for those sales.

After your application is filed the OPS may, by amendment or order, establish an adjusted ceiling price for sale of the item to the particular group of purchasers in the New York State Counties of Erie, Niagara, Chautauqua, and Cattaraugus, which is in line with the level of ceiling prices otherwise established under CPR 117, Rev. 1, and this supplementary regulation. However, until such an amendment or order is issued and becomes effective, you may not sell the item to that particular group of purchasers in those four counties at a price in excess of your ceiling prices duly established for those sales under CPR 117, Rev. 1, without reference to this supplementary regulation.

SEC. 4. *Wholesalers' ceiling price adjustments.* This section 4 applies to you if you are a wholesaler of malt beverages and receive from your brewer a written notice with the following heading: NOTICE OF CEILING PRICES UNDER SUPPLEMENTARY REGULATION 1 TO CPR 117, REV. 1. In that case you may increase your CPR 117, Rev. 1, ceiling prices, for sales of each item listed in the last notice so headed, to purchasers in the New York State Counties of Erie, Niagara, Chautauqua, and Cattaraugus by the exact dollar-and-cent difference between your brewer's ceiling price listed in that last notice and his ceiling price listed in the most recent ceiling price notice (other than that last notice) covering the item. If you adjust any of your ceiling prices under this section you must, of course, comply with the notice requirements of section 38 (b) of CPR 117, Rev. 1. If, however, you have adjusted your ceiling price for sale of an item to a particular class of purchaser under section 3 of this supplementary regulation, you cannot also adjust that ceiling price under this section 4.

SEC. 5. *Continued applicability of CPR 117, Revision 1.* All the provisions of CPR 117, Rev. 1, as amended, except as modified by this supplementary regulation, continue to apply to you even though you may be one of the sellers who are affected by this supplementary regulation. Wherever the provisions of CPR 117, Rev. 1, refer to ceiling prices "established under this regulation" or use equivalent language, your adjusted ceiling prices determined under this supplementary regulation are included.

SEC. 6. *Definitions.* The definitions contained in section 90 of CPR 117, Rev. 1, apply to the terms used in this supplementary regulation. The following terms not defined in that section 90 are, for purposes of this supplementary regulation only, defined as follows:

(a) *Importing wholesaler.* An "importing wholesaler" is a wholesaler who sells malt beverages to purchasers in the New York State Counties of Erie, Niagara, Chautauqua, and Cattaraugus, only from selling units located outside those four counties.

(b) *Group of purchasers.* "Group of purchasers" means either wholesalers, retailers, or consumers.

Effective date. This supplementary regulation is effective January 20, 1953.

NOTE: The reporting requirements of this supplementary regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

JOSEPH H. FREEHILL,
Director of Price Stabilization.

JANUARY 15, 1953.

[F. R. Doc. 53-642; Filed, Jan. 15, 1953; 4:00 p. m.]

[Ceiling Price Regulation 168, Amdt. 2]

CPR 168—CEILING PRICES FOR SITKA SPRUCE AND WEST COAST HEMLOCK MANUFACTURED AND SOLD IN ALASKA

MISCELLANEOUS AMENDMENTS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this amendment to Ceiling Price Regulation 168 is hereby issued.

STATEMENT OF CONSIDERATIONS

Section 1 of Ceiling Price Regulation 168 presently states that sales of West Coast Hemlock and Sitka Spruce lumber produced in Alaska for delivery in the continental United States are covered by Ceiling Price Regulation 128. This statement is an error since Ceiling Price Regulation 128 does not cover Sitka Spruce nor does it establish ceiling prices for West Coast Hemlock not produced in the continental United States. West Coast Hemlock lumber produced in Alaska has customarily sold on the west coast at prices the same as those of corresponding grades of lumber produced in the continental United States.

Because Ceiling Price Regulation 128 would, if applicable to this lumber, permit the inclusion of all transportation charges from Alaska to the West Coast, the resulting ceiling prices would be much higher than ceiling prices established under that regulation for lumber produced on the West Coast, and the customary price relationship would be destroyed. It is not practicable therefore, to amend Ceiling Price Regulation 128 to include West Coast Hemlock lumber produced in Alaska.

The prices established under the General Ceiling Price Regulation for the sale of these types of lumber on the West Coast are generally fair and equitable and allow Alaska producers approximately the same price as that received by West Coast producers under the appropriate regulations. This amendment, therefore, changes Section 1 to make it clear that sales of West Coast Hemlock and Sitka Spruce lumber produced in Alaska for delivery in the continental United States are covered by the GCPR.

Other relatively minor changes are made in the regulation to conform it to customary trade practices and to corresponding tailored regulations applicable in the continental United States.

Section 31 (a) (5) is amended to provide that if the purchaser waives the moisture content requirements, the price charged may not exceed the ceiling price for green lumber and that the seller must use the appropriate established weights for green lumber in computing transportation charges.

Section 39 (b) which defines the term "distribution yard," is amended by deleting so much of the paragraph as states "that lumber is deemed to be the stock of a distribution yard only if it was part of the stock of the yard at the time the contract of sale was made." This will permit lumber dealers to contract as retail dealers and not as manufacturers for long term deliveries of lumber to several very large construction projects now under way in Alaska.

Because of the nature of this amendment, consultation with the industry and with trade association representatives has been deemed unnecessary and impracticable. In the judgment of the Director, this amendment is necessary to effectuate the purposes of the Defense Production Act of 1950, as amended.

AMENDATORY PROVISIONS

Ceiling Price Regulation 168 is amended in the following respects:

1. Section 1 is amended to read as follows:

SECTION 1. *What this regulation does.* This regulation establishes ceiling prices for Alaska-produced Sitka Spruce (Picea Sitchensis) and West Coast Hemlock (Tsuga Heterophylla) lumber, graded in accordance with Standard Grading and Dressing Rules No. 14 of the West Coast Bureau of Lumber Grades and Inspection (effective August 1, 1947) as amended, which is shipped from a mill in Alaska and reaches the purchaser in Alaska without becoming an integral part of the stock of a distribution yard. If, at the time the sale is made, the lumber is not a part of the regular distribution yard stock, it is a sale within the coverage of this regulation. This regulation supersedes the General Ceiling Price Regulation for all such sales. Sales of West Coast Hemlock lumber and Sitka Spruce lumber cut in Alaska for delivery in the continental United States are covered by the General Ceiling Price Regulation.

2. Section 31 (a) (5) is amended to read as follows:

(5) Where the purchaser waives moisture content requirements, the price charged shall not exceed the ceiling price for green lumber and in the case of such a sale on a delivered basis, the appropriate established weights for green lumber shall be used in computing transportation charges.

3. Section 39 (b) is amended by deleting the last two sentences, so that the paragraph as amended reads:

(b) *Distribution yard.* A distribution yard is a wholesale or retail lumber yard located near a lumber consuming area which receives, unloads, and sorts, lumber shipments from mills or other yards; which receives most of its lumber by water or rail shipment and sells it principally for truck shipment; which maintains a varied stock of lumber from different regions and which is equipped to make quick delivery of many different items of lumber.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S.-C. App. Sup. 2154)

Effective date. This Amendment 2 to Ceiling Price Regulation 168 is effective January 20, 1953.

JOSEPH H. FREEHILL,
Director of Price Stabilization.

JANUARY 15, 1953.

[F. R. Doc. 53-641; Filed, Jan. 15, 1953; 11:42 a. m.]

[General Ceiling Price Regulation, Amdt. 1 to Supplementary Regulation 114]

GCPR, SR 114—ADJUSTMENTS IN CEILING PRICES OF MIXED FERTILIZERS AND BAGGED SUPERPHOSPHATE ON BASIS OF INCREASED FREIGHT RATES

BAGGED SUPERPHOSPHATE

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 1 to Supplementary Regulation 114 to the General Ceiling Price Regulation is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to Supplementary Regulation 114 to the General Ceiling Price Regulation authorizes manufacturers of mixed fertilizers to adjust their ceiling prices for their bagged superphosphate to compensate for increases in freight costs in the same manner as a similar adjustment is granted such manufacturers under the supplementary regulation for mixed fertilizers. The amendment also authorizes a manufacturer who operates more than one plant and who maintained the practice of establishing a uniform selling price for mixed fertilizers or bagged superphosphate produced at his different plants located in a single pricing area to establish a ceiling price for the product under Supplementary Regulation 114 which will be uniformly applicable to each of his plants in that area.

Supplementary Regulation 114 permits a manufacturer of mixed fertilizers to adjust his ceiling prices to reflect increases in the inbound freight costs for his raw materials and outbound freight cost incurred in delivering the mixed fertilizers to purchasers. The adjustments are calculated on the basis of increases in freight rates which have occurred since April 1, 1951, or since July 26, 1951, for those manufacturers who have adjusted their General Ceiling Price Regulation ceiling prices in accordance with the provisions of General Overriding Regulation 20 or General Overriding Regulation 21.

Mixed fertilizer manufacturers buy large quantities of superphosphate in bulk form for use primarily in the preparation of their mixed fertilizers. A portion of the bulk superphosphate is screened and bagged, and sold for direct application to the soil or to enable farmers to make up their own fertilizer mixes.

The inbound transportation cost for superphosphate purchased in bulk and the outbound transportation cost for the bagged superphosphate represent major items of cost to manufacturers of mixed fertilizers. The same considerations which motivated the issuance of Supplementary Regulation 114 permitting fertilizer manufacturers to adjust their ceiling prices to reflect increases in costs of transportation for mixed fertilizers also apply to superphosphate sold in bags by these manufacturers. The relief granted by this amendment is believed to be required by the applicable earnings standard of the Office of Price Stabilization.

The adjustment in ceiling prices authorized by this amendment will result in a very slight increase in the cost to consumers of bagged superphosphate. The adjustment under this amendment is in lieu of the transportation cost adjustment authorized manufacturers under Supplementary Regulation 122 to the General Ceiling Price Regulation.

A few producers operate more than one plant within a single pricing area for the production and sale of mixed fertilizers and bagged superphosphate. Some of these pricing areas cover a large territory and there are substantial dif-

ferences in the costs of transportation to and from different points within a pricing area. It has been customary for these producers to average both their incoming and outgoing freight costs for their different plants in order that they may establish a selling price for their product which would be applicable uniformly throughout the pricing area. This amendment permits such a producer to adjust his ceiling prices for his different plants determined in accordance with a prescribed formula under Supplementary Regulation 114 so as to establish a uniform ceiling price for the same product which will apply to each plant of that producer.

In the formulation of this amendment, there has been consultation with industry representatives, including trade association representatives to the extent practicable and consideration has been given to their recommendations.

AMENDATORY PROVISIONS

1. The title is amended to read as set forth above.

2. Section 1 is amended by inserting the following sentence after the second sentence:

If you are a manufacturer of mixed fertilizers who also buys superphosphate in bulk and bags the superphosphate for sales to dealers or consumers, this supplementary regulation also permits you to adjust in the same manner the ceiling prices for such sales of bagged superphosphate.

3. Section 2 is amended in the following respects:

(a) Paragraph (a) is amended by inserting the words "and bagged superphosphate" after the words "mixed fertilizer" in the first sentence, and by adding the following sentence:

You must make separate calculations for your mixed fertilizer and for your bagged superphosphate.

(b) Insert the words "or bagged superphosphate" after the words "mixed fertilizer" or "mixed fertilizers" wherever they appear in paragraph (a) (1) and all subparagraphs thereunder; and in paragraph (a) (2) and all subparagraphs thereunder.

(c) Paragraph (b) is redesignated paragraph (c), and is amended by changing the words "paragraph (a)" to "paragraphs (a) and (b)"

(d) A new paragraph (b) which reads as follows, is added:

(b) *Uniform ceiling prices for mixed fertilizers or bagged superphosphate produced in more than one plant.* If you produce mixed fertilizers or bagged superphosphate at more than one plant, and if you have customarily sold any of these commodities from these plants at a uniform price, you may adjust your ceiling price for the commodity under this supplementary regulation so as to establish a uniform ceiling price at these plants. To do this, you first determine the ceiling price for the commodity at each of the plants under paragraph (a) of this section and multiply it by the number of units of the commodity sold from that plant during the first six months of 1952. You then divide the total dollar amount of such sales from all plants where the commodity was sold at a uniform price by the total number of units sold from all such plants. The resulting figure is your uniform ceiling price for the commodity.

(e) Paragraph (c) is redesignated paragraph (d) and is also amended by inserting the words "and bagged superphosphate" after the words "mixed fertilizers"

4. Section 3 is amended by adding a new subparagraph (h) which reads as follows:

(h) *Bagged superphosphate.* "Bagged superphosphate" means superphosphate purchased in bulk by a manufacturer of mixed fertilizers and bagged by him for sales to dealers or consumers. The term does not, however, include superphosphate bagged in units of less than 80 pounds.

5. Section 4 is amended by inserting the words "and bagged superphosphate" after the words "mixed fertilizers"

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment to Supplementary Regulation 114 to the General Ceiling Price Regulation is effective January 20, 1953.

JOSEPH H. FREEHILL,
Director of Price Stabilization.

JANUARY 15, 1953.

[F. R. Doc. 53-645; Filed, Jan. 15, 1953; 4:00 p. m.]

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 35—PROVISIONS APPLICABLE TO THE SEVERAL CLASSES OF MAIL MATTER

SPECIAL PACKING OF CERTAIN MATTER

In § 35.18 *Special packing of certain matter* amend paragraph (d) as follows:

1. In subparagraph (1) strike out the words " regardless of distance,"

2. Amend the headnote to subparagraph (2) to read as follows:

(2) *In quantities of 24 fluid ounces or less.* (i) Within United States proper.

3. Add a new subdivision to subparagraph (2) to read as follows:

(ii) Oversea mailings: Compression or friction top cans containing liquids or semisolids which will liquefy under conditions incident to transportation, are prohibited in the overseas APO mails. Good quality hermetically sealed cans or screw top cans with metal inner seal are acceptable for such liquids if properly prepared for mailing.

(R. S. 161, 396; sec. 24, 20 Stat. 361, secs. 304, 309, 42 Stat. 24, 25, 62 Stat. 781; 5 U. S. C. 22, 369, 18 U. S. C. 1716, 39 U. S. C. 250)

[SEAL] J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 53-461; Filed, Jan. 15, 1953; 8:47 a. m.]

PART 127—INTERNATIONAL POSTAL SERVICE: POSTAGE RATES, SERVICE AVAILABLE, AND INSTRUCTIONS FOR MAILING

GERMANY; SOVIET ZONE

In § 127.264 *Germany* (17 F. R. 660, 8294, 11320) amend subdivision (iii) of paragraph (b) (4) to read as follows:

(iii) *Soviet Zone (including the Soviet Sector of Berlin)* Only gift parcels may be sent. The East German authorities require that each parcel may contain not more than 8¾ ounces of coffee, 8¾ ounces of either cocoa or chocolate, and/or 1¾ ounces of tobacco products. Parcels containing larger amounts may be confiscated by the East German customs authorities.

(R. S. 161, 396, 398; secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372)

[SEAL] J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 53-460; Filed, Jan. 15, 1953; 8:47 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Subtitle A—Office of the Secretary of the Interior

PART 7—OFFICERS AND EMPLOYEES: LANDS AND RESOURCES

EXCEPTIONS

Section 7.4 is amended by adding at the end thereof the following paragraph:

§ 7.4 *Exceptions.* * * *

(c) Any officer or employee of the Petroleum Administration for Defense may retain any interest, and may acquire and retain any rights or benefits accruing from the ownership of that interest, in an oil and gas lease (notwithstanding any provision thereof providing otherwise) if such interest was acquired by him more than one year prior to the commencement of his employment in the Government service.

(R. S. 161, 452; 5 U. S. C. 22, 43 U. S. C. 11)

OSCAR L. CHAPMAN,
Secretary of the Interior.

JANUARY 12, 1953.

[F. R. Doc. 53-456; Filed, Jan. 15, 1953; 8:47 a. m.]

Chapter I—Bureau of Land Management, Department of the Interior

Appendix—Public Land Orders

[Public Land Order 878]

MONTANA

EXTENDING THE BOUNDARIES OF THE BITTERROOT, CABINET, AND KOOTENAI NATIONAL FORESTS

By virtue of the authority vested in the President by section 13 of the act of June 28, 1934 (48 Stat. 1274; 43 U. S. C. 315l) and section 1 of the act of July 20, 1939 (53 Stat. 1071; 16 U. S. C. 471b) and pursuant to Executive Order No.

10355 of May 26, 1952 (17 F. R. 4831) it is ordered as follows:

The boundaries of the Bitterroot, Cabinet, and Kootenai National Forests are hereby extended to include the following-described public lands in Montana, and, subject to valid existing rights, the said lands are hereby made parts of the said national forests and hereafter shall be subject to all laws and regulations applicable thereto:

PRINCIPAL MERIDIAN

BITTERROOT NATIONAL FOREST

T. 6 N., R. 19 W.,
Sec. 28, NE¼NE¼.
T. 8 N., R. 19 W.,
Sec. 24, SE¼SE¼,
Sec. 26, SE¼SE¼.
T. 10 N., R. 19 W.,
Sec. 1, SW¼SW¼,
Sec. 2, SE¼SE¼.
T. 11 N., R. 19 W.,
Sec. 26, NW¼NW¼.
T. 2 N., R. 20 W.,
Sec. 26, lots 3, 4, 5, 6, and NW¼SW¼,
Sec. 28, lot 5;
Sec. 29, lots 4 and 8;
Sec. 30, lots 2, 7, and 8;
Sec. 31;
Sec. 32, W½NE¼, NW¼NW¼, S½NW¼, SW¼ W½SE¼, and SE¼SE¼,
Sec. 33, lot 8;
Sec. 34, NE¼NE¼,
Sec. 35, NE¼SE¼ and S½SE¼.
T. 3 N., R. 20 W.,
Sec. 6, lot 6.
T. 4 N., R. 20 W.,
Sec. 4, lot 13 and NW¼SW¼,
Sec. 30, lot 4 and S½SE¼.
T. 5 N., R. 20 W.,
Sec. 26, SE¼SE¼.
T. 9 N., R 20 W.,
Sec. 18, lot 1.
T. 10 N., R. 20 W.,
Sec. 4, lot 3;
Sec. 5, lots 3, 4, 5, 6, 7, 8, 9, and 10;
Sec. 6;
Sec. 7;
Sec. 8, lots 1, 2, 3, 4, 5, 6, 7, and W½NE¼,
Sec. 17, lots 1, 2, 3, and 4;
Sec. 18;
Sec. 19, lots 1, 2, 3, 4, NE¼, E½W½, and NW¼SE¼,
Sec. 20, lots 4, 5, NW¼SE¼,
Sec. 28, NW¼NW¼,
Sec. 30, lots 2, 3, 6, 7, and NE¼NW¼,
Sec. 31, lots 1, 2, 3, 6, 7, 8, 9, NE¼NE¼, and NE¼NW¼,
Sec. 35, SW¼NE¼.
T. 11 N., R. 20 W.,
Sec. 29, lots 1, 2, 3, 4, and E½W½,
Sec. 32, lots 1, 2, 3, 4, W½E½, E½W½, and NE¼SE¼,
Sec. 33, NW¼SW¼ and SE¼SE¼.
T. 1 N., R. 21 W.,
Sec. 4, NW¼SE¼;
Sec. 17, lot 6;
Sec. 30, N½NE¼, SW¼NE¼, and SE¼NW¼,
Sec. 31, lot 4 and SE¼SW¼.
T. 2 N., R. 21 W.,
Sec. 24, lots 7, 8, and W½SE¼,
Sec. 25, lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and SW¼SW¼,
Sec. 26, lots 5, 6, 7, 10, 11, and 12;
Sec. 27, SE¼SE¼,
Sec. 34, lots 1, 2, 3, 4, 5, 6, 7, and 8;
Sec. 35.
T. 3 N., R. 21 W.,
Sec. 8, SW¼NW¼.
T. 4 N., R 21 W.,
Sec. 18, lots 1, 2, and S½NE¼,
Sec. 23, lot 9;
Sec. 25, N½NW¼.
T. 7 N., R. 21 W.,
Sec. 5, E½, unsurveyed, exclusive of mineral surveys;
Sec. 20, W½SW¼.
T. 8 N., R. 21 W.,
Sec. 1, SW¼NW¼, and NW¼SW¼,
Sec. 2, lots 1, 2, 3, 4, and SW¼NW¼;
Sec. 10, E½NE¼, and S½SE¼,
Sec. 11, lot 4, and NE¼SW¼,
Sec. 15, NW¼NE¼.
T. 1 S., R. 22 W.,
Sec. 2, lots 1, 2, and SW¼SE¼,
Sec. 11, S½SE¼,
Sec. 14, N½SW¼,
Sec. 23, S½NW¼, and N½SW¼,
Sec. 26, S½NW¼, and N½SW¼;
Sec. 34, NW¼SE¼.
T. 2 S., R. 22 W.,
Sec. 22, NW¼SW¼, and SE¼SE¼,
Sec. 27, E½E½, W½W¼, and SW¼,
Sec. 34, lots 1, 3, 4, 6, NW¼NW¼, and E½SE¼.
T. 3 S., R. 22 W.,
Sec. 3, SE¼SW¼,
Sec. 9, SW¼NE¼, SE¼NW¼, SW¼, and NW¼SE¼.
T. 1 N., R. 22 W.,
Sec. 25, SW¼NE¼,
Sec. 35, lots 1, 2, and S½NE¼;
Sec. 36, lots 1, 2, 3, 4, and E½.

The areas described aggregate 12,934.45 acres.

CABINET NATIONAL FOREST

T. 18 N., R. 24 W.,
Sec. 6, lots 1, 2, 10, and N½NW¼.
T. 19 N., R. 24 W.,
Sec. 6, lots 12 and 13;
Sec. 7, lots 6, 7, 8, and NE¼SW¼,
Sec. 18, lots 5, 6, 7, 8, and W½SW¼,
Sec. 19, lots 9, 10, 11, 12, 13, NW¼, and W½SW¼,
Sec. 29, lots 2, 5, and 6;
Sec. 30, lots 2, 3, 4, 5, W½, and W½E½,
Sec. 31, lots 1, 2, 3, 4, W½E½, and W½,
Sec. 32, W½NW¼, that part west of Indian Reservation boundary.
T. 18 N., R. 25 W.,
Sec. 2, lots 5, 6, 7, and 8;
Sec. 4, lots 2 and 3.
T. 19 N., R. 25 W.,
Sec. 2, lots 1, 2, 3, 4, SW¼NE¼, S½NW¼, N½SW¼, and NW¼SE¼;
Sec. 3, lots 1, 2, 3, 4, S½NE¼, SE¼NW¼, and NE¼SW¼, S½SW¼, and SE¼,
Sec. 6, lot 6, E½SW¼, and S½SE¼,
Sec. 8, NE¼NE¼, W½E½, and E½W½,
Sec. 9, N½NE¼, and SE¼SE¼,
Sec. 10, N½N½, SE¼NE¼, SE¼NW¼, and E½SW¼,
Sec. 13, S½S½,
Sec. 14, SW¼NW¼;
Sec. 15, N½, NE¼SW¼, and NE¼SE¼.
Sec. 22, SW¼NE¼, S½SW¼, and NE¼SW¼,
Sec. 23, S½SW¼, and E½SE¼,
Sec. 24, NW¼NE¼, E½NW¼, and S½,
Sec. 25, NW¼,
Sec. 26, NE¼, SW¼NW¼, NE¼SW¼, and W½SW¼,
Sec. 34, lots 4, 7, and SE¼,
Sec. 35, NE¼NE¼, SW¼NW¼, SW¼, W½SE¼, and SE¼SE¼.
T. 20 N., R. 25 W.,
Sec. 4, lots 10 and 11;
Sec. 6, SE¼SW¼, and SW¼SE¼,
Sec. 9, S½S½,
Sec. 14, lots 3 and 4;
Sec. 15, lots 6, 7, 8, 9, W½, and SW¼SE¼,
Sec. 20, SW¼NE¼, S½SW¼, and NW¼SE¼,
Sec. 22, lots 1, 2, 3, 4, NE¼NE¼, W½NE¼, E½W½, and NW¼SE¼,
Sec. 23, lots 7, 8, and N½NW¼;
Sec. 26, lot 3, and NW¼NE¼,
Sec. 28, NE¼.
T. 21 N., R. 25 W.,
Sec. 26, lots 1 and 2;
Sec. 27, N½NE¼ and SE¼NE¼.
Sec. 35, lot 4.
T. 19 N., R. 26 W.,
Sec. 2, SE¼SE¼.
Sec. 3, SW¼, exclusive of mineral surveys;
Sec. 4, N½SE¼,
Sec. 8, NW¼SW¼.
Sec. 12, W½SW¼,
Sec. 18, lot 2, SE¼NW¼.
T. 20 N., R. 26 W.,
Sec. 4, SW¼SE¼,
Sec. 6, lots 1, 2, 6, 7, S½NE¼, SE¼SW¼, and SW¼SE¼.
Sec. 8, lot 7;
Sec. 18, lots 2, 3, and SE¼NW¼.
T. 21 N., R. 26 W.,
Sec. 32, lots 3, 4, NE¼, and N½SE¼.
T. 18 N., R. 27 W.,
Sec. 28, S½NW¼, and N½SW¼.
T. 20 N., R. 27 W.,
Sec. 2, lots 4 and 9;
Sec. 12, lot 8.
T. 21 N., R. 27 W.,
Sec. 30, lot 3 and N½NE¼,
Sec. 32, lot 5 and SW¼SW¼;
Sec. 34, N½ and N½SE¼.
T. 18 N., R. 28 W.,
Sec. 18, SE¼NE¼ and SE¼SE¼.
T. 21 N., R. 28 W.,
Sec. 15, lot 1, NE¼, N½NW¼, and SE¼NW¼,
Sec. 17, lots 5, 6, 7, 8, 9, 10, and 11;
Sec. 18, lots 8, 9, and 10;
Sec. 22, lots 3, 4, 5, SW¼NW¼, SW¼, W½SE¼, and SE¼SE¼,
Sec. 26, S½ and NW¼.
T. 18 N., R. 29 W.,
Sec. 4, lots 12 and 16;
Sec. 10, lots 1, 3, and 6;
Sec. 14, lots 4, 11, and 18;
Sec. 24, lots 12, 14, and 16.
T. 19 N., R 29 W.,
Sec. 22, NE¼NE¼,
Sec. 30, NE¼SE¼;
Sec. 34, NE¼SE¼.
T. 19 N., R. 30 W.,
Sec. 26, NW¼NE¼.
T. 23 N., R. 30 W.,
Sec. 28, lot 1;
Sec. 34, lots 2 and 8.
T. 19 N., R. 31 W.,
Sec. 2, N½SW¼, exclusive of mineral surveys;
Sec. 3, S½SW¼,
Sec. 4, SE¼SW¼ and S½SE¼,
Sec. 7, NE¼SW¼, less mining claim;
Sec. 9, NE¼ and NE¼SE¼,
Sec. 10, W½NE¼, NW¼, E½SW¼, SE¼, and SE¼NE¼,
Sec. 11, SE¼NW¼,
Sec. 14, N½NE¼, N½SE¼NE¼, SW¼ NW¼, NW¼SW¼ and S½S½, S½N½ SE¼, exclusive of mineral surveys.
T. 24 N., R. 31 W.,
Sec. 23, N½NE¼.
T. 24 N., R. 32 W.,
Sec. 2, lots 5 and 10;
Sec. 10, S½S½,
Sec. 12, lots 1, 2, 3, 4, 5, 6, 7, and SW¼ SE¼.
T. 25 N., R. 32 W.,
Sec. 22, lots 1, 2, 5, 6, and W½W½;
Sec. 26, SW¼NE¼, NW¼NW¼, NW¼ SE¼,
Sec. 34, lots 3, 4, and 6.
T. 26 N., R. 34 W.,
Sec. 12, E½SE¼ and SW¼SE¼.

The areas described aggregate 15,130.075 acres.

KOOTENAI NATIONAL FOREST

T. 29 N., R. 26 W.,
Sec. 8, NE¼NE¼.
Sec. 20, NE¼NE¼.
T. 34 N., R. 26 W.,
Sec. 3, SE¼NE¼.
Sec. 7, NE¼NE¼.
Sec. 10, SE¼SW¼;
Sec. 28, SW¼NW¼.
T. 36 N., R. 26 W.,
Sec. 23, NW¼NE¼,
Sec. 25, NE¼NE¼.
T. 29 N., R. 27 W.,
Sec. 14, NE¼ and E½NW¼,
Sec. 15, lot 1, NE¼NW¼, and SW¼NW¼,
Sec. 17, lot 2, NE¼NW¼, and S½SE¼.

T. 36 N., R. 27 W.,
Sec. 18, NE¼NW¼,
Sec. 28, lot 2;
Sec. 34, SW¼SW¼.
T. 37 N., R. 27 W.,
Sec. 21, lot 1;
Sec. 30, lot 4.
T. 27 N., R. 28 W.,
Sec. 20, NE¼NE¼.
T. 28 N., R. 28 W.,
Sec. 6, lots 1, 2, 4, and SE¼SE¼.
T. 35 N., R. 28 W.,
Sec. 24, SE¼SW¼ and E½SE¼,
Sec. 25, NE¼NW¼,
Sec. 29, NW¼NE¼,
Sec. 33, N½SW¼.
T. 37 N., R. 28 W.,
Sec. 25, lots 4 and 5.
T. 27 N., R. 29 W.,
Sec. 3, lot 1;
Sec. 8, NW¼NW¼.
T. 28 N., R. 29 W.,
Sec. 3, lot 3, NW¼SW¼ and S½SW¼,
Sec. 33, SW¼SW¼.
T. 29 N., R. 29 W.,
Sec. 4, lot 2 and SE¼SE¼,
Sec. 10, SE¼SW¼.
T. 30 N., R. 29 W.,
Sec. 4, lot 4.
T. 32 N., R. 29 W.,
Sec. 24, E½NE¼, N½SE¼.
T. 28 N., R. 30 W.,
Sec. 5, lot 1 and SE¼NE¼,
Sec. 9, W½NW¼ and NW¼SW¼,
Sec. 10, SW¼NW¼ and W½SW¼,
Sec. 14, SW¼NW¼,
Sec. 15, NE¼ and NW¼SE¼.
T. 29 N., R. 30 W.,
Sec. 22, SW¼SW¼ and SE¼SE¼,
Sec. 28, S½NE¼ and NE¼SE¼.
T. 30 N., R. 30 W.,
Sec. 6, lot 7, SE¼NE¼, and SE¼SE¼.
T. 29 N., R. 31 W.,
Sec. 2, NE¼SW¼.
T. 30 N., R. 31 W.,
Sec. 6, lots 2, 3, 4, 5, 6, and SE¼NW¼,
Sec. 19, lot 4.
T. 31 N., R. 31 W.,
Sec. 30, lots 6, 8, and 11;
Sec. 31, lot 1, NE¼NE¼, and SW¼SE¼.
T. 29 N., R. 33 W.,
Sec. 8, E½E½NE¼SE¼, E½SE¼SE¼NE¼, E½NE¼SE¼SE¼, and NE¼SE¼SE¼SE¼.
T. 30 N., R. 33 W.,
Sec. 3, E½ and SW¼, unsurveyed;
Sec. 4, E½SE¼,
Sec. 19, lot 1 and NE¼SW¼,
Sec. 32, NE¼NE¼.
T. 31 N., R. 33 W.,
Sec. 14, lots 4, 5, 8, and S½S½,
Sec. 15, lots 3, 4, 7, and 8;
Sec. 30, NE¼SW¼ and W½SE¼,
Sec. 34, SE¼, unsurveyed.

The areas described aggregate 4,723.80 acres.

The reservations made by this order shall be subject to any claim, entry, or appropriation under the public-land laws now existing and hereafter legally maintained, and to any existing withdrawal of lands for public purposes, so long as such withdrawal remains in force.

JOEL D. WOLFSOHN,
Assistant Secretary of the Interior.

JANUARY 7, 1953.

[F. R. Doc. 53-230; Filed, Jan. 15, 1953; 8:45 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[50 CFR Parts 46, 161–165]

ALASKA WILDLIFE PROTECTION

NOTICE OF PROPOSED RULE MAKING

Pursuant to section 4 (a) of the Administrative Procedure Act, approved June 11, 1946 (60 Stat. 237, 239) notice is hereby given:

(a) That under authority contained in section 9 of the Alaska Game Law of July 1, 1943 as amended (57 Stat. 301) the Secretary of the Interior proposes to adopt amendments to the regulations under the statute which will specify open seasons, means of taking, bag and possession limits, the closing or reopening of areas, and the issuance of permits to insure proper conservation and utilization of the wildlife resources of the Territory. In addition, some amendments may be adopted for the purpose of clarifying the application of the regulations and to facilitate administration of the act.

(b) That under authority of section 8 and subdivisions D and M of section 10 of the Alaska Game Law of July 1, 1943 as amended (57 Stat. 301) the Alaska Game Commission intends to consider the advisability of amending the regulations of the Alaska Game Commission respecting poisons, licenses, the qualification of guides, and the establishment of fur management areas.

The regulations referred to in paragraphs (a) and (b) above are to be effective beginning July 1, 1953.

Interested persons are hereby notified that at a hearing of the Alaska Game Commission to be held in Juneau, Alaska, on February 18, 1953, the said proposed regulations will be considered, and any such person may present his views, data or arguments with respect thereto. Such interested persons are also hereby given an opportunity to participate in preparing the regulations for issuance as set forth by submitting their views, data, or arguments in writing to Albert M. Day, Director, Fish and Wildlife Service, Washington 25, D. C. To assure full consideration of such communications, they must be received in the Fish and Wildlife Service not later than March 23, 1953.

OSCAR L. CHAPMAN,
Secretary of the Interior.

JANUARY 12, 1953.

[F. R. Doc. 53-455; Filed, Jan. 15, 1953; 8:46 a. m.]

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR Part 52]

CANNED BLACKBERRIES AND OTHER SIMILAR BERRIES SUCH AS BOYSENBERRIES, DEWBERRIES, AND LOGANBERRIES [1]

U. S. STANDARDS FOR GRADES

Notice is hereby given that the United States Department of Agriculture is considering the revision, as herein proposed, of the current United States Standards for Grades of Canned Blackberries, pursuant to the authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087; 7 U. S. C. 1621, et seq.) and the Department of Agriculture Appropriation Act, 1953 (Pub. Law 451, 82d Cong., approved July 5, 1952). This revision, if made effective, will be the second issue by the Department of grade standards for this product.

All persons who desire to submit written data, views, or arguments for consideration in connection with the proposed revision should file the same, in duplicate, with the Chief, Processed Products Standardization and Inspection Division, Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C., not later than 30 days after publication hereof in the FEDERAL REGISTER.

The proposed revision is as follows:

§ 52.182 *Canned Blackberries and other similar berries such as Boysenberries, Dewberries, and Loganberries.* "Canned Blackberries" and other similar berries such as "Boysenberries," "Dewberries," and "Loganberries," hereinafter called berries, means the canned product prepared from stemmed, properly ripened, fresh fruit by proper cleaning and sorting and may be packed with or without the addition of water or sweetening ingredient in hermetically sealed containers and sufficiently processed by heat to assure preservation of the product.

(a) *Grades of canned berries.* (1) "U. S. Grade A" or "U. S. Fancy" is the quality of canned berries that possess similar varietal characteristics; that possess a good color; that are practically uniform in size; that are practically free from defects; that possess a good character; that possess a normal flavor and odor; and that for these factors which are scored in accordance with the scoring system outlined in this section, the total score is not less than 90 points: *Provided,* That the canned berries may

[1] The requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act.

possess a reasonably good color and may be reasonably or fairly uniform in size if the total score is not less than 90 points.

(2) "U. S. Grade B" or "U. S. Choice" is the quality of canned berries that possess similar varietal characteristics; that possess a reasonably good color; that are reasonably uniform in size; that are reasonably free from defects; that possess a reasonably good character; that possess a normal flavor and odor; and that for those factors which are scored in accordance with the scoring system outlined in this section, the total score is not less than 80 points: *Provided,* That the canned berries may be fairly uniform in size if the total score is not less than 80 points.

(3) "U. S. Grade C" or "U. S. Standard" is the quality of canned berries that possess similar varietal characteristics; that possess a fairly good color; that are fairly uniform in size; that are fairly free from defects; that possess a fairly good character; that possess a normal flavor and odor; and that for these factors which are scored in accordance with the scoring system outlined in this section, the total score is not less than 70 points: *Provided,* That the canned blackberries may be irregular in size if the total score is not less than 70 points.

(4) "Substandard" is the quality of canned berries that fail in some respect, other than size, to meet the requirements of U. S. Grade C or U. S. Standard.

(b) *Recommended liquid media and Brix measurements for canned berries.* (1) "Cut-out" requirements for liquid media in canned berries are not incorporated in the grades of the finished product since syrup or any other liquid medium, as such, is not a factor of quality for the purpose of these grades. The recommended "cut-out" Brix measurement, as applicable, for the respective designations are as follows:

Designations and Brix Measurement

"Extra heavy syrup": 25° or more, but not more than 35° Brix.

"Heavy syrup": 20° or more, but less than 25° Brix.

"Light syrup": 15° or more, but less than 20° Brix.

"Slightly sweetened water": Less than 15° Brix.

"In water": Packed in water.

(c) *Recommended fill of container.* The recommended fill of container is not incorporated in the grades of the finished product since fill of container, as such, is not a factor of quality for the purpose of these grades. It is recommended that each container of canned berries be filled with berries as full as practicable without impairment of quality and that the product and packing medium occupy not less than 90 percent of the volume of the container.

(d) *Recommended minimum drained weight.* The minimum drained weight recommendations are not incorporated in the grades of the finished product since drained weight, as such, is not a factor of quality for the purpose of these grades. The drained weight of canned berries is determined by emptying the contents of the container upon a United States Standard No. 8 circular sieve of proper diameter containing 8 meshes to the inch (0.0937 inch, ±3%, square openings) so as to distribute the product evenly, inclining the sieve slightly to facilitate drainage, and allowing to drain for two minutes. The drained weight (or drained berries) is the weight of the sieve and the berries less the weight of the dry sieve. A sieve 8 inches in diameter is used for the equivalent of No. 3 size cans (404 x 414) and smaller, and a sieve 12 inches in diameter is used for containers larger than the equivalent of the No. 3 size can.

TABLE No. 1—RECOMMENDED MINIMUM DRAINED WEIGHT, IN OUNCES, OF CANNED BERRIES

Can size	Can dimensions (in inches)		Maximum capacity in water at 68° F. (in ounces)	Minimum drained weight (in ounces)	
	Diameter	Height		Extra heavy and heavy syrup	Light syrup and water
8 ounces	2 1/16	3 1/16	8.65	4 3/4	5
No. 303	3 1/16	4 9/16	16.85	9 1/2	10
No. 2	3 7/16	4 9/16	20.50	11 1/2	12 1/2
No. 10	6 3/16	7	109.45	65	70
No. 10 [1] (heavy pack)	6 3/16	7	109.45		76

[1] Canned blackberries in No. 10 containers (in water) may be certified with the additional statement "heavy pack," provided they meet a minimum drained weight requirement of 76 ounces per can.

(e) *Ascertaining the grade.* (1) The grade of canned berries, is ascertained by considering, in conjunction with the requirements of the respective grade, the respective ratings for the factors of color, uniformity of size, absence of defects, and character.

(2) The relative importance of each factor which is scored is expressed numerically on the scale of 100. The maximum number of points that may be given such factors are:

Factors:	Points
(i) Color	20
(ii) Uniformity of size	20
(iii) Absence of defects	30
(iv) Character of fruit	30
Total score	100

(3) "Normal flavor and odor" means that the product is free from objectionable odors and objectionable flavors of any kind.

(f) *Ascertaining the rating for the factors which are scored.* The essential variations within each factor which is scored are so described that the value may be ascertained for such factors and expressed numerically. The numerical range within each factor which is scored is inclusive (for example, "22 to 25 points" means 22, 23, 24, or 25 points)

(1) *Color* (i) The factor of color refers to the color typical of the varietal group and to the intensity and brightness of such characteristic color.

(ii) Canned berries that possess a good color may be given a score of 18 to 20 points. "Good color" means that the canned berries possess a color typical of well-ripened berries for the varietal type that have been properly processed and are practically uniform and bright in color.

(iii) If the canned berries possess a reasonably good color, a score of 15 to 17 points may be given. "Reasonably good color" means that the canned berries possess a color typical of reasonably well-ripened berries for the varietal type that have been properly processed, and which color may be somewhat lacking in luster and may range in color from the lighter shades of reasonably well-ripened berries to the darker hues of well-ripened berries.

(iv) If the canned berries possess a fairly good color, a score of 12 to 14 points may be allowed. Canned berries that fall into this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule). "Fairly good color" means that the canned berries possess a color typical of fairly well-ripened berries for the varietal type that have been properly processed, and which color may be variable but is not off-color.

(v) Canned berries that fail to meet the requirements of subdivision (iv) of this subparagraph may be given a score of 0 to 11 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

(2) *Uniformity of size.* (i) The factor of uniformity of size refers to the uniformity of diameters of the canned berries. "Diameter" is the minimum diameter of the fruit of the berry measured at right angles to the stem axis that will pass through a rigid ring of the same diameter without using pressure.

(ii) If the canned berries are practically uniform in size, a score of 18 to 20 points may be given. "Practically uniform in size" means that the canned berries are reasonably uniform in size and that the presence of small berries does not materially affect the appearance of the product except that with respect to canned blackberries, not more than 15 percent, by count, of the canned blackberries have a diameter less than 20/32 inch.

(iii) If the canned berries are reasonably uniform in size, a score of 15 to 17 points may be given. "Reasonably uniform in size" means that the canned berries are fairly uniform in size and that the presence of small berries does not materially affect the appearance of the product except that with respect to canned blackberries, not more than 15 percent, by count, of the canned blackberries have a diameter less than 18/32 inch.

(iv) If the canned berries are fairly uniform in size, a score of 12 to 14 points may be given. "Fairly uniform in size" means that the canned berries may be variable in size, except that with respect to canned blackberries, not more than 10 percent, by count, of the canned blackberries have a diameter less than $\frac{15}{32}$ inch.

(v) Canned berries that fail to meet the requirements of subdivision (iv) of this subparagraph may be given a score of 0 to 11 points.

(3) *Absence of defects.* (i) The factor of absence of defects refers to the degree of freedom from harmless extraneous vegetable material and from damaged berries.

(a) "Harmless extraneous vegetable material" means any vegetable substance (including, but not limited to, leaves, stems, or portions of stems whether or not attached, caps or portions of caps, whether or not attached)

(b) "Damaged" means any surface blemish or internal injury that materially affects the appearance or edibility of the berry (including, but not limited to, insect injury, pathological injury, hard berries, underdeveloped berries, and abnormally developed berries)

(ii) Canned berries that are practically free from defects may be given a score of 27 to 30 points. "Practically free from defects" means that harmless extraneous vegetable material may be present that does not more than slightly affect the appearance or edibility of the product; and that not more than 4 percent, by count, of the canned berries may be damaged.

(iii) If the canned berries are reasonably free from defects, a score of 23 to 26 points may be given. "Reasonably free from defects" means that harmless extraneous vegetable material may be present that does not more than materially affect the appearance or edibility of the product; and that not more than 8 percent, by count, of the canned berries may be damaged.

(iv) Canned berries that are fairly free from defects may be given a score of 19 to 22 points. Canned berries that fall into this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule) "Fairly free from defects" means that harmless extraneous vegetable material may be present that does not more that seriously affect the appearance or edibility of the product; and that not more than 15 percent, by count, of the canned berries may be damaged.

(v) Canned berries which fail to meet the requirements of subdivision (iv) of this subparagraph may be given a score of 0 to 18 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule)

(4) *Character of fruit.* (i) The factor of character refers to the degree of ripeness, texture, and appearance as well as to the degree of disintegration of the berries.

(ii) Canned berries that possess a good character may be given a score of 27 to 30 points. "Good character" means that the berries possess a firm, tender texture characteristic of well-ripened berries for the varietal type and are practically intact; that the berries and accompanying liquor are practically free from detached seed cells; and that not more than 5 percent, by weight, of the berries may be crushed.

(iii) If the canned berries have a reasonably good character, a score of 23 to 26 points may be given. Canned berries that fall into this classification shall not be graded above U. S. Grade B or U. S. Choice, regardless of the total score for the product (this is a limiting rule) "Reasonably good character" means that the berries may possess a reasonably tender texture characteristic of reasonably well-ripened berries to slightly over-ripe berries for the varietal type and are reasonably intact; that the berries and accompanying liquor are reasonably free from detached seed cells; and that not more than 10 percent, by weight, of the berries may be crushed.

(iv) Canned berries that possess a fairly good character may be given a score of 19 to 22 points. Canned berries that fall into this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule). "Fairly good character" means that the berries may possess a fairly tender texture characteristic of fairly well-ripened berries to over-ripe berries for the varietal type and are fairly intact; that the berries and accompanying liquor are fairly free from detached seed cells; and that not more than 20 percent, by weight, of the berries may be crushed.

(v) Canned berries that fail to meet the requirements of subdivision (iv) of this subparagraph may be given a score of 0 to 18 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

(g) *Tolerances for certification of officially drawn samples.* (1) When certifying samples that have been officially drawn and which represent a specific lot of canned berries, the grade for such lot will be determined by averaging the total score of the containers comprising the sample, if:

(i) Not more than one-sixth of such containers fails to meet all the requirements of the grade indicated by the average of such total scores, and, with respect to such containers which fail to meet the requirements of the indicated grade by reason of a limiting rule, is within the range for the grade indicated:

(ii) None of the containers comprising the sample falls more than 4 points below the minimum score for the grade indicated by the average of the total scores; and

(iii) All containers comprising the sample meet all applicable standards of quality promulgated under the Federal Food, Drug, and Cosmetic Act and in effect at the time of the aforesaid certification.

(h) *Score sheet for canned blackberries.*

Can size		
Can mark		
Label		
Net weight (in ounces)		
Vacuum readings (in inches)		
Drained weight (in ounces)		
Degree of syrup (Brix)		
Factors		**Score points**
I. Color	20	(A) 18-20 (B) 15-17 (C) [1] 12-14 (SStd.) [1] 0-11
II. Uniformity of size	20	(A) 18-20 (B) 15-17 (C) 12-14 (SStd.) 0-11
III. Absence of defects	30	(A) 27-30 (B) 23-26 (C) [1] 19-22 (SStd.) [1] 0-18
IV. Character of fruit	30	(A) 27-30 (B) [1] 23-26 (C) [1] 19-22 (SStd.) [1] 0-18
Total score	100	
Grade		

[1] Indicates limiting rule.

Done at Washington, D. C., this 12th day of January 1953.

[SEAL] GEORGE A. DICE,
Deputy Assistant Administrator, Production and Marketing Administration.

[F. R. Doc. 53-454; Filed, Jan. 15, 1953; 8:46 a. m.]

[7 CFR Part 962]

FRESH PEACHES GROWN IN GEORGIA

FINDINGS AND DETERMINATIONS WITH RESPECT TO CONTINUATION IN EFFECT OF AMENDED MARKETING AGREEMENT AND ORDER

Pursuant to the applicable provisions of Marketing Agreement No. 99, as amended, and Order No. 62, as amended (7 CFR Part 962) and the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.) notice was given in the FEDERAL REGISTER on October 9, 1952 (17 F. R. 9020) that a referendum would be conducted among the growers who, during the calendar year 1952 (which period was determined to be a representative period for the purpose of such referendum), had been engaged, in the State of Georgia, in the production of peaches for market to determine whether a majority of such growers favor the termination of the amended marketing agreement and order.

Upon the basis of the results of the aforesaid referendum, which was conducted during the period December 12 to December 20, 1952, both dates inclusive, it is hereby found and determined that the termination of the amended marketing agreement and order, regulating the handling of fresh peaches grown in the State of Georgia, is not favored by the requisite majority of such growers.

Done at Washington, D. C., this 12th day of January 1953.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 53-484; Filed, Jan. 15, 1953; 8:50 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Office of the Secretary

MONTANA

NOTICE FOR FILING OBJECTIONS TO ORDER EXTENDING THE BOUNDARIES OF THE BITTERROOT, CABINET, AND KOOTENAI NATIONAL FORESTS [1]

For a period of 30 days from the date of publication of the above entitled order, persons having cause to object to the terms thereof may present their objections to the Secretary of the Interior. Such objections should be in writing, should be addressed to the Secretary of the Interior, and should be filed in duplicate in the Department of the Interior, Washington 25, D. C. In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where the proponents of the order can explain its purpose, intent, and extent. Should any objection be filed, whether or not a hearing is held, notice of the determination by the Secretary as to whether the order should be rescinded, modified, or let stand will be given to all interested parties of record and the general public.

JOEL D. WOLFSOHN,
Assistant Secretary of the Interior

JANUARY 7, 1953.

[F. R. Doc. 53-291; Filed, Jan. 15, 1953; 8:45 a. m.]

[Order 2696, Amdt. 1]

HEADS OF BUREAUS AND AGENCIES

REDELEGATION OF AUTHORITY TO TRANSFER, DONATE, OR DISPOSE OF EXCESS OR SURPLUS REAL PROPERTY

DECEMBER 15, 1952.

Section 4 (a) of Order No. 2696, dated July 17, 1952, is superseded and revised to read as follows:

SEC. 4. *Authority redelegated.* (a) The authority delegated to the Secretary to transfer, donate, or dispose of real property and related personal property excess to the needs of the Department of the Interior in accordance with the Federal Property and Administrative Services Act of 1949, as amended, and regulations issued thereunder, together with special delegations of authority issued to the Secretary by the Administrator of General Services, is redelegated to the head of each bureau and agency with respect to property under his jurisdiction. The provisions of this paragraph shall apply with respect to any delegation of authority that has been made to the Secretary by the Administrator of General Services, that is in force on the effective date of Amendment No. 1 to this order, and that expressly authorizes redelegation and to any such delegation made thereafter unless the Secretary shall, in writing, provide otherwise.

OSCAR L. CHAPMAN,
Secretary of the Interior.

[F. R. Doc. 53-459; Filed, Jan. 15, 1953; 8:47 a. m.]

NORTH CAROLINA, CAPE HATTERAS NATIONAL SEASHORE RECREATIONAL AREA

ORDER RELATING TO ADMINISTRATION BY NATIONAL PARK SERVICE

Whereas, the act of August 17, 1937 (50 Stat. 669) as amended by the act of June 29, 1940 (54 Stat. 702; 16 U. S. C., 1946 ed., sec. 459-459A-3) provides for the establishment of the Cape Hatteras National Seashore Recreational Area in the State of North Carolina when title to all the lands except those within the limits of established villages, within boundaries to be designated by the Secretary of the Interior, shall have been vested in the United States; and

Whereas, section 4 of the act of August 17, 1937, as amended, authorizes the Secretary of the Interior, in his discretion, to accept for administration, protection and development by the National Park Service a minimum of 10,000 acres within the boundaries of the area so designated; and

Whereas, the United States has recently acquired, through deeds of donation from the State of North Carolina, approximately 6,490 acres of land within the designated area; and

Whereas, there are now situated within the area designated for establishment of the Cape Hatteras National Seashore Recreational Area in Federal ownership approximately 5,880 acres of land comprising the Pea Island National Wildlife Refuge, and 44 acres of land comprising the former Cape Hatteras Lighthouse Reservation:

Now, therefore, pursuant to the authority contained in section 4 of the act of August 17, 1937, as amended, it is ordered that hereafter the following lands shall be administered, protected, and developed by the National Park Service for national seashore recreational area purposes for the benefit and enjoyment of the people:

1. Those certain pieces and parcels of land on Hatteras Island, in Dare County, North Carolina, as more particularly described in the deed from the State of North Carolina to the United States of America, dated December 22, 1952, and containing approximately 2,219 acres;

2. Those certain pieces and parcels of land on Ocracoke Island, in Hyde County, North Carolina, as more particularly described in the deed from the State of North Carolina to the United States of America, dated December 22, 1952, and containing approximately 3,347 acres;

3. Those certain pieces and parcels of land on Hatteras Island, in Dare County, North Carolina, known locally as the Cape Hatteras (Phipps) State Park, as more particularly described in the deed from the State of North Carolina to the United States of America, dated December 22, 1952, and containing approximately 924 acres;

4. The lands comprising the Pea Island National Wildlife Refuge situated on Hatteras Island, in Dare County, North Carolina, and containing approximately 5,880 acres; and

5. The lands comprising the former Cape Hatteras Lighthouse Reservation situated on Hatteras Island, in Dare County, North Carolina, and containing approximately 44 acres.

All of said tracts of land aggregate approximately 12,414 acres and are shown in green color on the attached map No. NRA-CH-7017-B, which is entitled "Department of the Interior, National Park Service, Cape Hatteras National Seashore Recreational Area Project, North Carolina," [1] a copy of which shall be filed with this order in the Division of the Federal Register and a copy of which shall be kept in the office of the Project Manager of the Cape Hatteras National Seashore Recreational Area Project, Manteo, North Carolina, for public inspection.

As provided in section 5 of the act of August 17, 1937, as amended, the lands comprising the Pea Island National Wildlife Refuge shall continue to be administered as a Refuge by the Fish and Wildlife Service and shall be administered by the National Park Service for recreational uses not inconsistent with the purposes of the Refuge, pursuant to this order.

Issued this 12th day of January 1953.

OSCAR L. CHAPMAN,
Secretary of the Interior

[F. R. Doc. 53-448; Filed, Jan. 15, 1953; 8:45 a. m.]

DEPARTMENT OF AGRICULTURE

Rural Electrification Administration

[Administrative Order 3859]

ALLOCATION OF FUNDS FOR LOANS

NOVEMBER 10, 1952.

Inasmuch as Sho-Me Power Corporation has transferred certain of its properties and assets to Ozark Border Electric Cooperative, and Ozark Border Electric Cooperative has assumed in part the indebtedness to United States of America, of Sho-Me Power Corporation, arising out of loans made by United States of America pursuant to the Rural Electrification Act of 1936, as amended, I hereby amend:

(a) Administrative Order No. 713, dated June 19, 1942, as amended by Administrative Order No. 3848, dated October 27, 1952, by changing the project designation appearing therein as "Missouri 2059GT1 Cole" in the amount of

[1] See F. R. Doc. 53-290, Title 43, chapter I, Appendix, PLO 878, *supra*.

[1] Filed as part of the original document.

$2,254,235.22 to read "Missouri 2059GT1 Cole" in the amount of $2,195,441.02 and "Missouri 33TP3 Butler (Missouri 2059-GT1 Cole)" in the amount of $58,794.20; and

(b) Administrative Order No. 1500, dated April 29, 1948, as amended by Administrative Order No. 3623, dated March 15, 1952, by changing the project designation appearing therein as "Missouri 59C Cole" in the amount of $287,187.16 to read "Missouri 59C Cole" in the amount of $251,546.24 and "Missouri 33TP3 Butler (Missouri 59C Cole)" in the amount of $35,640.92.

[SEAL] WM. C. WISE,
Acting Administrator

[F. R. Doc. 53-487; Filed, Jan. 15, 1953; 8:45 a. m.]

[Administrative Order, 3860]

SOUTH DAKOTA

LOAN ANNOUNCEMENT

NOVEMBER 10, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
South Dakota 16L Grant	$172,000

[SEAL] WM. C. WISE,
Acting Administrator

[F. R. Doc. 53-488; Filed, Jan. 15, 1953; 8:45 a. m.]

[Administrative Order 3861]

NEW MEXICO

LOAN ANNOUNCEMENT

NOVEMBER 10, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
New Mexico 12R Otero	$185,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 53-489; Filed, Jan. 15, 1953; 8:45 a. m.]

[Administrative Order 3862]

OKLAHOMA

LOAN ANNOUNCEMENT

NOVEMBER 10, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Oklahoma 20P Garvin	$350,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 53-490; Filed, Jan. 15, 1953; 8:45 a. m.]

[Administrative Order No. 3863]

MISSOURI

LOAN ANNOUNCEMENT

NOVEMBER 10, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Missouri 41 "W" Platte	$300,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 53-491; Filed, Jan. 15, 1953; 8:46 a. m.]

[Administrative Order 3864]

NORTH CAROLINA

LOAN ANNOUNCEMENT

NOVEMBER 10, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
North Carolina 46V Madison	$300,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 53-492; Filed, Jan. 15, 1953; 8:46 a. m.]

[Administrative Order 3865]

TEXAS

LOAN ANNOUNCEMENT

NOVEMBER 18, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Texas 104R Mitchell	$50,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 53-493; Filed, Jan. 15, 1953; 8:46 a. m.]

[Administrative Order 3866]

TEXAS

LOAN ANNOUNCEMENT

NOVEMBER 19, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Texas 111R Austin	$690,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 53-494; Filed, Jan. 15, 1953; 8:46 a. m.

[Administrative Order 3867]

ALLOCATION OF FUNDS FOR LOANS

NOVEMBER 20, 1952.

Inasmuch as Southwestern Minnesota Cooperative Electric has transferred certain of its properties and assets to Lacreek Electric Association, Inc., and Lacreek Electric Association, Inc. has assumed in part the indebtedness to United States of America, of Southwestern Minnesota Cooperative Electric, arising out of loans made by United States of America pursuant to the Rural Electrification Act of 1936, as amended, I hereby amend:

(a) Administrative Order No. 1071, dated May 23, 1946, as amended by Administrative Order No. 2987, dated October 25, 1950, by changing the project designation appearing therein as "Minnesota 73 Pipestone (Minnesota 10H Carlton)" in the amount of $18,660 to read "Minnesota 73 Pipestone (Minnesota 10H Carlton)" in the amount of $12,660 and "South Dakota 35TP3 Bennett (Minnesota 73 Pipestone [Minnesota 10H Carlton])" in the amount of $6,000.

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 53-495; Filed, Jan. 15, 1953; 8:46 a. m.]

[Administrative Order 3868]

ALLOCATION OF FUNDS FOR LOANS

NOVEMBER 20, 1952.

Inasmuch as Sheyenne Valley Electric Cooperative, Inc. has transferred certain of its properties and assets to Minnkota Power Cooperative, Inc., and Minnkota Power Cooperative, Inc., has assumed in part the indebtedness to United States of America, of Sheyenne Valley Electric Cooperative, Inc., arising out of loans made by United States of America pursuant to the Rural Electrification Act of 1936, as amended, I hereby amend:

(a) Administrative Order No. 933, dated July 14, 1945, by changing the project designation appearing therein as "North Dakota 46030A1 Steele" in the

amount of $557,000 to read "North Dakota 46030A1 Steele" in the amount of $547,767.31 and "North Dakota 20TP2 Grand Forks (North Dakota 46030A1 Steele)." in the amount of $9,232.69.

[SEAL] CLAUDE R. WICKARD,
Administrator

[F. R. Doc. 53-496; Filed, Jan. 15, 1953; 8:46 a. m.]

[Administrative Order 3869]

ALLOCATION OF FUNDS FOR LOANS

NOVEMBER 20, 1952.

Inasmuch as The Socorro Electric Cooperative, Inc., has transferred certain of its properties and assets to Northern Rio Arriba Electric Cooperative, Inc., and Northern Rio Arriba Electric Cooperative, Inc., has assumed in part the indebtedness to United States of America, of The Socorro Electric Cooperative, Inc., arising out of loans made by United States of America pursuant to the Rural Electrification Act of 1936, as amended, I hereby amend:

(a) Administrative Order No. 885, dated March 9, 1945, by changing the project designation appearing therein as "New Mexico 5020G1 Socorro" in the amount of $50,700 to read "New Mexico 5020G1 Socorro" in the amount of $42,700 and "New Mexico 15TP1 Rio Arriba (New Mexico 5020G1 Socorro)" in the amount of $8,000.

[SEAL] CLAUDE R. WICKARD,
Administrator

[F. R. Doc. 53-497; Filed, Jan. 15, 1953; 8:46 a. m.]

[Administrative Order 3870]

MINNESOTA

LOAN ANNOUNCEMENT

NOVEMBER 21, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Minnesota 3R Meeker	$460,000

[SEAL] CLAUDE R. WICKARD,
Administrator

[F. R. Doc. 53-498; Filed, Jan. 15, 1953; 8:46 a. m.]

[Administrative Order 3871]

MICHIGAN

LOAN ANNOUNCEMENT

NOVEMBER 24, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Michigan 33X Charlevoix	$370,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 53-499; Filed, Jan. 15, 1953; 8:47 a. m.]

[Administrative Order 3872]

TEXAS

LOAN ANNOUNCEMENT

NOVEMBER 24, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Texas 95X Medina	$940,000

[SEAL] CLAUDE R. WICKARD,
Administrator

[F. R. Doc. 53-500; Filed, Jan. 15, 1953; 8:47 a. m.]

[Administrative Order 3873]

OKLAHOMA

LOAN ANNOUNCEMENT

NOVEMBER 24, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Oklahoma 33M Latimer	$485,000

[SEAL] CLAUDE R. WICKARD,
Administrator

[F. R. Doc. 53-501; Filed, Jan. 15, 1953; 8:47 a. m.]

[Administrative Order 3874]

ALLOCATION OF FUNDS FOR LOANS

NOVEMBER 25, 1952.

I hereby amend:

(a) Administrative Order No. 1356, dated October 8, 1947, by reducing the allocation of $15,000 therein made for "North Carolina 55H Craven" by $10,485 so that the reduced allocation shall be $4,515.

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 53-502; Filed, Jan. 15, 1953; 8:47 a. m.]

[Administrative Order 3875]

ARKANSAS

LOAN ANNOUNCEMENT

NOVEMBER 25, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Arkansas 21V Lincoln	$50,000

[SEAL] CLAUDE R. WICKARD,
Administrator

[F. R. Doc. 53-503; Filed, Jan. 15, 1953; 8:47 a. m.]

[Administrative Order 3876]

FLORIDA

LOAN ANNOUNCEMENT

NOVEMBER 25, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Florida 23R Levy	$145,000

[SEAL] CLAUDE R. WICKARD,
Administrator

[F. R. Doc. 53-504; Filed, Jan. 15, 1953; 8:47 a. m.]

[Administrative Order 3877]

ILLINOIS

LOAN ANNOUNCEMENT

NOVEMBER 26, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Illinois 28R Champaign	$690,000

[SEAL] WM. C. WISE,
Acting Administrator

[F. R. Doc. 53-505; Filed, Jan. 15, 1953; 8:47 a. m.]

[Administrative Order 3878]

ALLOCATION OF FUNDS FOR LOANS

NOVEMBER 26, 1952.

I hereby amend:

(a) Administrative Order No. 620, dated September 23, 1941, by reducing the allocation of $10,000 therein made for "Pennsylvania 2020S4 Blair" by $7,122.20 so that the reduced allocation shall be $2,877.80; and

(b) Administrative Order No. 1230, dated March 12, 1947, by rescinding the allocation of $50,000 therein made for "Pennsylvania 20T Blair"

[SEAL] WM. C. WISE,
Acting Administrator

[F. R. Doc. 53-506; Filed, Jan. 15, 1953; 8:48 a. m.]

[Administrative Order 3879]

SOUTH CAROLINA

LOAN ANNOUNCEMENT

NOVEMBER 28, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
South Carolina 27V Marlboro	$250,000

[SEAL] RIGGS SHEPPERD,
Acting Administrator

[F. R. Doc. 53-507; Filed, Jan. 15, 1953; 8:48 a. m.]

[Administrative Order 3880]

TEXAS

LOAN ANNOUNCEMENT

NOVEMBER 28, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Texas 86V Comanche	$75,000

[SEAL] RIGGS SHEPPERD,
Acting Administrator

[F. R. Doc. 53-508; Filed, Jan. 15, 1953; 8:48 a. m.]

[Administrative Order 3881]

KENTUCKY

LOAN ANNOUNCEMENT

NOVEMBER 28, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Kentucky 35 "Y" Warren	$150,000

[SEAL] RIGGS SHEPPERD,
Acting Administrator.

[F. R. Doc. 53-509; Filed, Jan. 15, 1953; 8:48 a. m.]

[Administrative Order 3882]

OHIO

LOAN ANNOUNCEMENT

DECEMBER 2, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Ohio 29R Pike	$930,000

[SEAL] WIL. C. WISE,
Acting Administrator.

[F. R. Doc. 53-510; Filed, Jan. 15, 1953; 8:48 a. m.]

[Administrative Order 3883]

ALLOCATION OF FUNDS FOR LOANS

DECEMBER 3, 1952.

I hereby amend:

(a) Administrative Order No. 563, dated March 11, 1941, by reducing the allocation of $250,000 therein made for "Texas 1117G1 Upshur" by $1,698.43 so that the reduced allocation shall be $248,301.57; and

(b) Administrative Order No. 624, dated October 2, 1941, by rescinding the allocation of $1,450,000 therein made for "Texas 2117G2 Upshur"

[SEAL] WIL. C. WISE,
Acting Administrator.

[F. R. Doc. 53-511; Filed, Jan. 15, 1953; 8:48 a. m.]

[Administrative Order 3884]

MISSISSIPPI

LOAN ANNOUNCEMENT

DECEMBER 3, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Mississippi 21V Coahoma	$400,000

[SEAL] WIL. C. WISE,
Acting Administrator.

[F. R. Doc. 53-512; Filed, Jan. 15, 1953; 8:48 a. m.]

[Administrative Order 3885]

WASHINGTON

LOAN ANNOUNCEMENT

DECEMBER 4, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Washington 46E Ferry District Public	$445,000

[SEAL] WIL. C. WISE,
Acting Administrator.

[F. R. Doc. 53-513; Filed, Jan. 15, 1953; 8:48 a. m.]

[Administrative Order 3886]

MONTANA

LOAN ANNOUNCEMENT

DECEMBER 4, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Montana 26G Valley	$270,000

[SEAL] WIL. C. WISE,
Acting Administrator.

[F. R. Doc. 53-514; Filed, Jan. 15, 1953; 8:49 a. m.]

[Administrative Order 3887]

VIRGINIA

LOAN ANNOUNCEMENT

DECEMBER 4, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Virginia 27 AB Nottoway	$1,065,000

[SEAL] WIL. C. WISE,
Acting Administrator.

[F. R. Doc. 53-515; Filed, Jan. 15, 1953; 8:49 a. m.]

[Administrative Order 3888]

ALLOCATION OF FUNDS FOR LOANS

DECEMBER 5, 1952.

I hereby amend:

(a) Administrative Order No. 627, dated October 8, 1941, by rescinding the allocation of $10,000 therein made for "Minnesota 2066S1 Nobles"

[SEAL] WIL. C. WISE,
Acting Administrator.

[F. R. Doc. 53-516; Filed, Jan. 15, 1953; 8:49 a. m.]

[Administrative Order 3889]

ALLOCATION OF FUNDS FOR LOANS

DECEMBER 5, 1952.

I hereby amend:

(a) Administrative Order No. 710, dated June 9, 1942, by reducing the allocation of $2,000 therein made for "Utah 2-1009A2 Beaver" by $770.48 so that the reduced allocation shall be $1,229.52; and

(b) Administrative Order No. 1438, dated February 10, 1948, by reducing the allocation of $12,000 therein made for "Utah 9C Beaver" by $8,622.58 so that the reduced allocation shall be $3,377.42.

[SEAL] WIL. C. WISE,
Acting Administrator.

[F. R. Doc. 53-517; Filed, Jan. 15, 1953; 8:49 a. m.]

[Administrative Order 3890]

KENTUCKY

LOAN ANNOUNCEMENT

DECEMBER 5, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Kentucky 54 "X" Wayne	$150,000

[SEAL] WM. C. WISE,
Acting Administrator

[F. R. Doc. 53-518; Filed, Jan. 15, 1953; 8:49 a. m.]

[Administrative Order 3891]

NEW MEXICO

LOAN ANNOUNCEMENT

DECEMBER 10, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
New Mexico 4-AA Eddy	$485,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 53-519; Filed, Jan. 15, 1953; 8:49 a. m.]

[Administrative Order 3892]

MISSOURI

LOAN ANNOUNCEMENT

DECEMBER 11, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Missouri 67 G & H Wright	$550,000

[SEAL] WM. C. WISE,
Acting Administrator

[F. R. Doc. 53-520; Filed, Jan. 15, 1953; 8:49 a. m.]

[Administrative Order 3893]

SOUTH DAKOTA

LOAN ANNOUNCEMENT

DECEMBER 12, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
South Dakota 18G Clark	$308,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 53-521; Filed, Jan. 15, 1953; 8:50 a. m.]

[Administrative Order 3894]

ALLOCATION OF FUNDS FOR LOANS

DECEMBER 12, 1952.

Inasmuch as The Intermountain Rural Electric Association has transferred certain of its properties and assets to Mountain View Electric Association, Inc., and Mountain View Electric Association, Inc., has assumed in part the indebtedness to United States of America, of The Intermountain Rural Electric Association, arising out of loans made by United States of America pursuant to the Rural Electrification Act of 1936, as amended, I hereby amend:

(a) Administrative Order No. 1129, dated August 28, 1946, by changing the project designation appearing therein as "Colorado 16N Jefferson" in the amount of $343,000 to read "Colorado 16N Jefferson" in the amount of $274,500 and "Colorado 37TP1 Douglas (Colorado 16N Jefferson)" in the amount of $68,500.

[SEAL] WM. C. WISE,
Acting Administrator

[F. R. Doc. 53-522; Filed, Jan. 15, 1953; 8:50 a. m.]

[Administrative Order 3895]

WISCONSIN

LOAN ANNOUNCEMENT

DECEMBER 15, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Wisconsin 40U Barren	$600,000

[SEAL] WM. C. WISE,
Acting Administrator

[F. R. Doc. 53-523; Filed, Jan. 15, 1953; 8:50 a. m.]

[Administrative Order 3896]

TEXAS

LOAN ANNOUNCEMENT

DECEMBER 15, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Texas 63R Navarro	$95,000

[SEAL] WM. C. WISE,
Acting Administrator

[F. R. Doc. 53-524; Filed, Jan. 15, 1953; 8:50 a. m.]

[Administrative Order 3897]

ALLOCATION OF FUNDS FOR LOANS

DECEMBER 16, 1952.

Inasmuch as Orcas Power & Light Company has transferred certain of its properties and assets to Lower Valley Power and Light, Inc., and Lower Valley Power and Light, Inc. has assumed in part the indebtedness to United States of America, of Orcas Power & Light Company, arising out of loans made by United States of America pursuant to the Rural Electrification Act of 1936, as amended, I hereby amend:

(a) Administrative Order No. 1034, dated April 1, 1946, by changing the project designation appearing therein as "Washington 9H San Juan" in the amount of $196,000 to read "Washington 9H San Juan" in the amount of $186,600 and "Wyoming 11TP2 Lincoln (Washington 9H San Juan)" in the amount of $9,400.

[SEAL] WM. C. WISE,
Acting Administrator

[F. R. Doc. 53-525; Filed, Jan. 15, 1953; 8:50 a. m.]

[Administrative Order 3898]

ALLOCATION OF FUNDS FOR LOANS

DECEMBER 16, 1952.

Inasmuch as Minnkota Power Cooperative, Inc., has transferred certain of its properties and assets to Nodak Rural Electric Cooperative, Inc., and Nodak Rural Electric Cooperative, Inc., has assumed in part the indebtedness to United States of America, of Minnkota Power Cooperative, Inc., arising out of loans made by United States of America pursuant to the Rural Electrification Act of 1936, as amended, I hereby amend:

(a) Administrative Order No. 1212, dated January 29, 1947, as amended by Administrative Order No. 1292, dated May 29, 1947, by changing the project designation appearing therein as "North Dakota 20H Grand Forks" in the amount of $3,360,000 to read "North Dakota 20H Grand Forks" in the amount of $3,323,571.75 and "North Dakota 19TP2 Grand Forks (North Dakota 20H Grand Forks)" in the amount of $36,428.25.

[SEAL] WM. C. WISE,
Acting Administrator

[F. R. Doc. 53-526; Filed, Jan. 15, 1953; 8:50 a. m.]

[Administrative Order 3899]

ALLOCATION OF FUNDS FOR LOANS

DECEMBER 16, 1952.

Inasmuch as Kit Carson Electric Cooperative, Inc. has transferred certain of its properties and assets to White River Electric Association, Inc., and White River Electric Association, Inc. has assumed in part the indebtedness to United States of America, of Kit Carson Electric Cooperative, Inc., arising out of loans made by United States of America pursuant to the Rural Electrification Act of 1936, as amended, I hereby amend:

(a) Administrative Order No. 999, dated December 19, 1945, as amended by Administrative Order No. 2346, dated October 18, 1949 and Administrative Order No. 2651, dated May 8, 1950, by changing the project designation appearing therein as "New Mexico 11 Taos (Arizona 18A Maricopa)" in the amount of $33,775 to read "New Mexico 11 Taos (Arizona 18A Maricopa)" in the amount of $2,215 and "Colorado 40TP2 Rio Blanco (New Mexico 11 Taos [Arizona 18A Maricopa])" in the amount of $31,560.

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 53-527; Filed, Jan. 15, 1953; 8:50 a. m.]

[Administrative Order 3900]

NEW MEXICO

LOAN ANNOUNCEMENT

DECEMBER 16, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
New Mexico 23 "F" Lea	$4,145,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 53-528; Filed, Jan. 15, 1953; 8:50 a. m.]

[Administrative Order 3901]

ALLOCATION OF FUNDS FOR LOANS

DECEMBER 18, 1952.

I hereby amend:

(a) Administrative Order No. 1004, dated January 4, 1946, by reducing the allocation of $369,000 therein made for "Nebraska 94A Adams District Public" by $36,927.93 so that the reduced allocation shall be $332,072.07.

[SEAL] RIGGS SHEPPERD,
Acting Administrator

[F. R. Doc. 53-529; Filed, Jan. 15, 1953; 8:51 a. m.]

[Administrative Order 3902]

WASHINGTON

LOAN ANNOUNCEMENT

DECEMBER 18, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Washington 35K Pend Oreille	$7,900

[SEAL] RIGGS SHEPPERD,
Acting Administrator

[F. R. Doc. 53-530; Filed, Jan. 15, 1953; 8:51 a. m.]

[Administrative Order 3903]

TEXAS

LOAN ANNOUNCEMENT

DECEMBER 22, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Texas 145H Dallam	$485,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 53-531; Filed, Jan. 15, 1953; 8:51 a. m.]

[Administrative Order 3904]

TEXAS

LOAN ANNOUNCEMENT

DECEMBER 23, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Texas 124H Schleicher	$350,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 53-532; Filed, Jan. 15, 1953; 8:51 a. m.]

[Administrative Order 3905]

NORTH CAROLINA

LOAN ANNOUNCEMENT

DECEMBER 23, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
North Carolina 35U Davidson	940,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 53-533; Filed, Jan. 15, 1953; 8:51 a. m.]

[Administrative Order 3906]

MISSISSIPPI

LOAN ANNOUNCEMENT

DECEMBER 23, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Mississippi 26 "H" Panola	$1,300,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 53-534; Filed, Jan. 15, 1953; 8:51 a. m.]

[Administrative Order 3907]

SOUTH DAKOTA

LOAN ANNOUNCEMENT

DECEMBER 23, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
South Dakota 13K Custer	$874,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 53-535; Filed, Jan. 15, 1953; 8:51 a. m.]

[Administrative Order 3908]

TENNESSEE

LOAN ANNOUNCEMENT

DECEMBER 23, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Tennessee 32 "G" Hickman	$930,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 53-536; Filed, Jan. 15, 1953; 8:51 a. m.]

[Administrative Order 3909]

GEORGIA

LOAN ANNOUNCEMENT

DECEMBER 23, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Georgia 37 "U" Douglas	$220,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 53-537; Filed, Jan. 15, 1953; 8:52 a. m.]

[Administrative Order 3910]

OHIO

LOAN ANNOUNCEMENT

DECEMBER 23, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Ohio 88V Gallia	$825,000

[SEAL] CLAUDE R. WICKARD,
Administrator

[F. R. Doc. 53-538; Filed, Jan. 15, 1953; 8:52 a. m.]

[Administrative Order 3911]

KANSAS

LOAN ANNOUNCEMENT

DECEMBER 23, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Kansas 8S Allen	$45,500

[SEAL] CLAUDE R. WICKARD,
Administrator

[F. R. Doc. 53-539; Filed, Jan. 15, 1953; 8:52 a. m.]

[Administrative Order 3912]

MONTANA

LOAN ANNOUNCEMENT

DECEMBER 23, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Montana 36E Lincoln	$395,000

[SEAL] CLAUDE R. WICKARD,
Administrator

[F. R. Doc. 53-540; Filed, Jan. 15, 1953, 8:52 a. m.]

[Administrative Order 3913]

VIRGINIA

LOAN ANNOUNCEMENT

DECEMBER 24, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government, acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Virginia 2S Craig	$155,000

[SEAL] WM. C. WISE,
Acting Administrator

[F. R. Doc. 53-541; Filed, Jan. 15, 1953; 8:52 a. m.]

[Administrative Order 3914]

TEXAS

LOAN ANNOUNCEMENT

DECEMBER 31, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Texas 71 "K" Clay	$120,000

[SEAL] CLAUDE R. WICKARD,
Administrator

[F. R. Doc. 53-542; Filed, Jan. 15, 1953; 8:52 a. m.]

[Administrative Order 3915]

NORTH CAROLINA

LOAN ANNOUNCEMENT

DECEMBER 31, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
North Carolina 36T Randolph	$400,000

[SEAL] CLAUDE R. WICKARD,
Administrator

[F. R. Doc. 53-543; Filed, Jan. 15, 1953; 8:52 a. m.]

[Administrative Order 3916]

COLORADO

LOAN ANNOUNCEMENT

DECEMBER 31, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Colorado 32G La Plata	$430,000

[SEAL] CLAUDE R. WICKARD,
Administrator

[F. R. Doc. 53-544; Filed, Jan. 15, 1953; 8:53 a. m.]

[Administrative Order 3917]

OHIO

LOAN ANNOUNCEMENT

DECEMBER 31, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Ohio 94L Adams	$780,000

[SEAL] CLAUDE R. WICKARD,
Administrator

[F. R. Doc. 53-545; Filed, Jan. 15, 1953; 8:53 a. m.]

[Administrative Order 3918]

WISCONSIN

LOAN ANNOUNCEMENT

JANUARY 3, 1953.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Wisconsin 52M Crawford	$221,000

[SEAL] CLAUDE R. WICKARD,
Administrator

[F. R. Doc. 53-546; Filed, Jan. 15, 1953; 8:53 a. m.]

[Administrative Order 3919]

ALLOCATION OF FUNDS FOR LOANS

JANUARY 5, 1953.

I hereby amend:

(a) Administrative Order No. 2311, dated September 22, 1949, by rescinding the loan of $14,320,000 therein made for "Virginia 52A Charlotte"

[SEAL] WM. C. WISE,
Acting Administrator

[F. R. Doc. 53-547; Filed, Jan. 15, 1953; 8:53 a. m.]

[Administrative Order T-230]

IDAHO

LOAN ANNOUNCEMENT

NOVEMBER 10, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Mud Lake Telephone Cooperative Association, Inc., Idaho 502-A	$265,000

[SEAL] WM. C. WISE,
Acting Administrator

[F. R. Doc. 53-548; Filed, Jan. 15, 1953; 8:53 a. m.]

[Administrative Order T-231]

TEXAS

LOAN ANNOUNCEMENT

NOVEMBER 18, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Five Area Telephone Cooperative, Inc., Texas 506–A	[1] $983,000

[1] Simultaneous allocation and loan.

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 53–549; Filed, Jan. 15, 1953; 8:53 a. m.]

[Administrative Order T-232]

NORTH CAROLINA

LOAN ANNOUNCEMENT

NOVEMBER 19, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Skyline Telephone Membership Corp., North Carolina 513–A	$1,060,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 53–550; Filed, Jan. 15, 1953; 8:53 a. m.]

[Administrative Order T-233]

OKLAHOMA

LOAN ANNOUNCEMENT

NOVEMBER 21, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Oklahoma Automatic Telephone Co., Inc., Oklahoma 509–B	$243,000

[SEAL] CLAUDE R. WICKARD,
Administrator

[F. R. Doc. 53–551; Filed, Jan. 15, 1953; 8:53 a. m.]

[Administrative Order T-234]

ALLOCATION OF FUNDS FOR LOANS

NOVEMBER 25, 1952.

I hereby amend:

(a) Administrative Order No. T–164, dated June 30, 1952, by reducing the loan of $400,000 therein made for "Peoples Telephone Cooperative, Inc.—Texas 557–A" by $61,000 so that the reduced loan shall be $339,000.

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 53–552; Filed, Jan. 15, 1953; 8:54 a. m.]

[Administrative Order T-235]

ALABAMA

LOAN ANNOUNCEMENT

NOVEMBER 25, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
New Hope Telephone Cooperative, Alabama 524–B	$60,000

[SEAL] CLAUDE R. WICKARD,
Administrator

[F. R. Doc. 53–553; Filed, Jan. 15, 1953; 8:54 a. m.]

[Administrative Order T-236]

MINNESOTA

LOAN ANNOUNCEMENT

DECEMBER 2, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Pine Island Telephone Co., Minnesota 515–C	$83,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 53–554; Filed, Jan. 15, 1953; 8:54 a. m.]

[Administrative Order T-237]

NORTH CAROLINA

LOAN ANNOUNCEMENT

DECEMBER 3, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Randolph Telephone Co., North Carolina 522–A	[1] $350,000

[1] Simultaneous allocation and loan.

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 53–555; Filed, Jan. 15, 1953; 8:54 a. m.]

[Administrative Order T-238]

TENNESSEE

LOAN ANNOUNCEMENT

DECEMBER 3, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Yorkville Mutual Telephone Co. Inc., Tennessee 513–C	$67,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 53–556; Filed, Jan. 15, 1953; 8:54 a. m.]

[Administrative Order T-239]

NEW MEXICO

LOAN ANNOUNCEMENT

DECEMBER 5, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Penasco Valley Telephone Cooperative, Inc., New Mexico 512–A	[1] $583,000

[1] Simultaneous allocation and loan.

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 53–557; Filed, Jan. 15, 1953; 8:54 a. m.]

[Administrative Order T-240]

SOUTH CAROLINA

LOAN ANNOUNCEMENT

DECEMBER 12, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Horry Telephone Cooperative, South Carolina 519–A	[1] $1,019,000

[1] Simultaneous allocation and loan.

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 53–558; Filed, Jan. 15, 1953; 8:55 a. m.]

[Administrative Order T-241]

GEORGIA

LOAN ANNOUNCEMENT

DECEMBER 15, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a

loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Sikes Telephone Co., Georgia 514-B	$3,000

[SEAL] WM. C. WISE,
Acting Administrator

[F. R. Doc. 53-559; Filed, Jan. 15, 1953; 8:55 a. m.]

[Administrative Order T-242]

KANSAS

LOAN ANNOUNCEMENT

DECEMBER 15, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Haviland Telephone Co., Kansas 506A	[1] $141,000

[1] Simultaneous allocation and loan.

[SEAL] WM. C. WISE,
Acting Administrator

[F. R. Doc. 53-560; Filed, Jan. 15, 1953; 8:55 a. m.]

[Administrative Order T-243]

INDIANA

LOAN ANNOUNCEMENT

DECEMBER 18, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Smithville Telephone Company, Indiana 503-A	[1] $336,000

[1] Simultaneous allocation and loan.

[SEAL] RIGGS SHEPPERD,
Acting Administrator

[F. R. Doc. 53-561; Filed, Jan. 15, 1953; 8:55 a. m.]

[Administrative Order T-244]

ILLINOIS

LOAN ANNOUNCEMENT

DECEMBER 23, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Egyptian Telephone Cooperative Association, Illinois 517-A	[1] $860,000

[1] Simultaneous allocation and loan.

[SEAL] CLAUDE R. WICKARD,
Administrator

[F. R. Doc. 53-562; Filed, Jan. 15, 1953; 8:55 a. m.]

[Administrative Order T-245]

MICHIGAN

LOAN ANNOUNCEMENT

DECEMBER 23, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Peninsula Telephone Co., Michigan 508-B	$51,000

[SEAL] CLAUDE R. WICKARD,
Administrator

[F. R. Doc. 53-563; Filed, Jan. 15, 1953; 8:55 a. m.]

[Administrative Order T-246]

COLORADO

LOAN ANNOUNCEMENT

DECEMBER 23, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Wiggins Telephone Association, Colorado 501-B	$64,000

[SEAL] CLAUDE R. WICKARD,
Administrator

[F. R. Doc. 53-564; Filed, Jan. 15, 1953; 8:55 a. m.]

[Administrative Order T-247]

TEXAS

LOAN ANNOUNCEMENT

DECEMBER 23, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
South Plains Telephone Cooperative, Inc., Texas 517-B	$135,000

[SEAL] CLAUDE R. WICKARD,
Administrator

[F. R. Doc. 53-565; Filed, Jan. 15, 1953; 8:56 a. m.]

[Administrative Order T-248]

MONTANA

LOAN ANNOUNCEMENT

DECEMBER 24, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Valley Rural Telephone Cooperative Association, Montana 510-A	$280,000

[SEAL] WM. C. WISE,
Acting Administrator

[F. R. Doc. 53-566; Filed, Jan. 15, 1953; 8:56 a. m.]

[Administrative Order T-249]

KANSAS

LOAN ANNOUNCEMENT

DECEMBER 30, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
The American Communication Co., Inc., Kansas 512-B	$140,000

[SEAL] CLAUDE R. WICKARD,
Administrator

[F. R. Doc. 53-567; Filed, Jan. 15, 1953; 8:56 a. m.]

[Administrative Order T-250]

OREGON

LOAN ANNOUNCEMENT

JANUARY 2, 1953.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Dayville-Canyon Telephone Co., Oregon 510-A	[1] $250,000

[1] Simultaneous allocation and loan.

[SEAL] CLAUDE R. WICKARD,
Administrator

[F. R. Doc. 53-568; Filed, Jan. 15, 1953; 8:56 a. m.]

FEDERAL TRADE COMMISSION

[File No. 21-437]

WATCH ATTACHMENT INDUSTRY

NOTICE OF HOLDING OF TRADE PRACTICE CONFERENCE

Notice is hereby given that a trade practice conference, under the auspices of the Federal Trade Commission, will

be held for the Watch Attachment Industry in the Waldorf-Astoria Hotel, New York City, on January 30, 1953, commencing at 10:00 a. m., e. s. t.

All persons, firms, corporations and organizations engaged in the production, distribution or marketing of metal watch bands, bracelets, or similar accessories, are considered members of the industry and are cordially invited to attend and participate in this industry meeting.

The conference and further proceedings in the matter will be directed toward the eventual establishment and promulgation by the Commission of trade practice rules for this industry under which unfair methods of competition, unfair or deceptive acts or practices, and other trade abuses, may be eliminated and prevented.

Issued: January 13, 1953.

By direction of the Commission.

[SEAL] D. C. DANIEL, *Secretary.*

[F. R. Doc. 53-482; Filed, Jan. 15, 1953; 8:50 a. m.]

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[Order No. 30]

ANY ARTICLE OF CZECHOSLOVAK ORIGIN

PROHIBITING MANIPULATION, MANUFACTURE, OR ANY OTHER PROCESS OF TREATMENT IN FOREIGN-TRADE ZONE

Pursuant to authority contained in the Foreign-Trade Zones Act of June 18, 1934, as amended (48 Stat. 998–1003; 19 U. S. C. 81a–81u) the Foreign-Trade Zones Board has adopted the following order which is promulgated for the information and guidance of all concerned:

Whereas, the Department of State considers that at this time it is detrimental to the public interest and contrary to the policy of the Government of the United States to permit the importation of merchandise of Czechoslovak origin normally requiring a certified consular invoice unless shipments of such goods are covered by certified consular invoices; and

Whereas, the Treasury Department has announced that the maximum liability under law might be assessed when shipments of Czechoslovak merchandise are not covered by the required documents within the legal time limit; and

Whereas, under the customs regulations of the United States, no certified or commercial invoice, or bond for the production of either, is required in connection with the entry into the United States of articles, whether privileged or nonprivileged, resulting from manipulation in a foreign-trade zone;

Now, therefore, upon recommendation of the Department of State, the Foreign-Trade Zones Board, after full consideration, finds that it is detrimental to the public interest to permit manipulation of goods of Czechoslovak origin in a foreign-trade zone as an alternative for the requirement of consular invoices, and under the authority granted to it by section 15 (e) of the Foreign-Trade Zones Act of June 18, 1934 (48 Stat. 1002; 19 U. S. C. 81o) hereby orders:

No manipulation, manufacture, or any other process of treatment of any article of Czechoslovak origin shall be allowed in a foreign-trade zone on or after the effective date of this order.

It is found that compliance with the notice, public rule making procedure, and delayed effective date requirements of the Administrative Procedure Act (5 U. S. C. 1003) is impractical, unnecessary, and contrary to the public interest in connection with the issuance of this order, because the same emergency conditions which are a cause for this order necessitate that it become effective as quickly as possible. The effective date of this order is, therefore, the date of publication in the FEDERAL REGISTER.

Signed at Washington, D. C., this 9th day of January 1953.

[SEAL] CHARLES SAWYER, *Secretary of Commerce, Chairman and Executive Officer, Foreign-Trade Zones Board.*

Attest:

THOS. E. LYONS, *Executive Secretary, Foreign-Trade Zones Board.*

[F. R. Doc. 53-476; Filed, Jan. 15, 1953; 8:48 a. m.]

ECONOMIC STABILIZATION AGENCY

Construction Industry Stabilization Commission, Wage Stabilization Board

[Amdt. 5]

DELAWARE

AREA WAGE RATES

Area wage rates for the state of Delaware up to approximately January 5, 1953, are hereby added to the list previously published in the FEDERAL REGISTER issue of October 30, 1952, at 17 F. R. 9784.

The following table shows the area wage rates that have been published and the FEDERAL REGISTER citation.

Alabama: 17 F. R. 9784.
Arizona: 17 F. R. 9769.
Arkansas: 17 F. R. 10576.
California: 17 F. R. 10784.
Colorado: 17 F. R. 11246.
Connecticut: 18 F. R. 208.

THOMAS J. KALIS,
DUNCAN CAMPBELL,
Co-chairmen.
ROBERT J. LUDWIG,
Administrative Assistant.

Area rates approved and issued by the Construction Industry Stabilization Commission for the State of Delaware up to approximately January 5, 1953.

SEC. 7. *Area wage rates for Delaware.*

Asbestos Workers

Case C-8971: Half way between Wilmington, Del., and Philadelphia, Pa., Baltimore, Md., York, Pa., and Atlantic City, N. J., building construction only.

Journeyman heat frost insulator and asbestos worker	$3.04
Improver:	
First year	1.325
Second year	1.585
Third year	1.825
Fourth year	2.035

Boilermakers

Case C-5311: Entire State of Delaware; building and heavy construction only.

Lead mechanic	$3.26
Assistant lead mechanic	3.01
Boilermaker	2.76
Boilermaker helper	2.51

Bricklayers

Case C-4358: Entire State of Delaware; building construction only.

Journeyman bricklayer	$3.25

Carpenters

Case C-7221: Entire State of Delaware; Building, heavy and highway construction.

Wharf and dock builder and pile driver	$2.90
Foreman	3.275
Leader	3.15

Case C-7252: County of Sussex; building construction only.

Journeyman carpenter	$2.40

Case C-6309: Counties of New Castle and Kent; building construction only.

Journeyman carpenter	$2.625

Cement Finishers

Case C-6154: Entire State of Delaware; building construction only.

Journeyman cement mason	$2.625
Bridges, silos, storage elevators over 30 feet in height	2.875

Electrical Workers

Case C-4426: Wilmington and area within the territorial jurisdiction of International Brotherhood of Electrical Workers, Local 313; building and heavy construction only.

Journeyman electrician	$3.00

Case C-5147: Utility line construction work, within the territorial jurisdiction of International Brotherhood of Electrical Workers, Local No. 126 (not including substations or underground cable work) performed in the lower part of Delaware and Maryland (Eastern Shore); building and heavy construction only.

General foreman	$2.63
Foreman	2.42
Journeyman	2.16
Apprentice:	
Fourth year	1.83
Third year	1.62
Second year	1.30
First year	1.08
Winch truck operator	1.67
Groundman	1.40
Truck driver	1.62
Digging machine operator	2.16

Case C-7893: Entire State of Delaware; building and heavy construction only.

Journeyman lineman and cable splicer	$3.00
Winch truck operator	2.00
Groundman	1.75

Elevator Constructors

Case C-8726: Philadelphia and area within the territorial jurisdiction of International Union of Elevator Constructors, Local 5; construction, repair, contract service and modernization work in elevator industry.

Elevator constructor foreman	$3.66
Elevator constructor mechanic	3.25
Elevator constructor helper	2.28

Glaziers

Case C-5682: Counties of Sussex and Kent, up to and including the city of Dover; building construction only.

Journeyman glazier	$2.375
Glazier foreman	2.50

Case C-6171. Wilmington, Del., and area within the radius of 35 miles; building construction only.

Journeyman glazier	$2.625

Iron Workers

Case C-6802: City of Wilmington, Del., halfway to the cities of Baltimore, Md., Harrisburg, Pa., Philadelphia, Pa., Reading, Pa., and Camden, N. J., building, heavy and highway construction.

Journeyman iron worker	$3.23
Foreman	3.58
Rodman and rigger	2.79
Foreman	3.15

Laborers

Case C-5160: Entire State of Delaware; mainline pipeline construction only.

Laborer	$1.25

Case C-6177: Counties of Sussex and Kent; building, heavy and highway construction.

Common laborer	$1.25
Skilled labor	1.50
Road building labor:	
Laborer	1.15
Air tool operator	1.25
Pipe layer	1.25
Blaster	1.65
Blaster helper	1.25
Asphalt tamper	1.25
Asphalt raker	1.25
Form setter road	1.25
Caisson man open air	1.80
Cofferdam below 10°	1.80

Case C-6054. City of Wilmington; county of New Castle; building construction only.

Common laborer	$1.575
Skilled laborer	1.825

Lathers

Case C-6610: Entire State of Delaware; building construction only.

Wood, wire, and metal lather	$2.90

Marble, Mosaic, and Terrazzo Helper

Case C-4390: Entire State of Delaware; building construction only.

Tile setter helper, terrazzo helper	$1.65
Three months' probationary period	1.40

Marble Setters

Case C-6093: Entire State of Delaware; building construction only.

Marble mason	$2.75

Mosaic and Terrazzo Workers

Case C-6093: Entire State of Delaware; building construction only.

Terrazzo worker	$2.75

Operating Engineers

Case C-7517A. Entire State of Delaware; building construction only.

	Weekly basis	Daily basis
Stone and steel erection	$3.425	$3.675
Engineer working with dock builder and pile driver	3.30	3.55
Back hoe	3.30	3.55
Dragline	3.30	3.55
Keystone	3.30	3.55
Shovel	3.30	3.55
Trench shovel	3.30	3.55
Trench machine	3.30	3.55
Crane, paver 21E and over	3.30	3.55
Derrick	3.30	3.55
Cableway	3.30	3.55
Building hoist (single and double drum)	3.05	3.30
Scraper	2.925	3.175
Tournapull	2.925	3.175
Caterpillar type tractor with front and overhead loader	2.90	3.15
Bulldozer and tractor including rubber-tire type with front and overhead loader	2.675	2.925
Tugger machine	2.90	3.15
Conveyor	2.90	3.15
Concrete breaking machine	2.90	3.15
Spreader	2.90	3.15
High or low pressure boiler	2.90	3.15
All other equipment not mentioned	2.90	3.15
Concrete pump	2.90	3.15
Roller	2.775	3.025
Fireman	2.325	2.575
Welding machine	2.70	2.95
Well point pump	2.575	2.825
Compressor	2.575	2.825
Pump	2.575	2.825
Maintenance engineer	2.575	2.825
Oiler and apprentice engineer	1.90	2.15

Case C-7517B: Entire State of Delaware; heavy construction only (except dock building).

	Weekly basis	Daily basis
Steel and stone erection	$3.425	$3.675
Engineer working with pile driver and dock builder	3.30	3.55
Backhoe	3.30	3.55
Dragline	3.30	3.55
Keystone	3.30	3.55
Shovel	3.30	3.55
Trench shovel	3.30	3.55
Trench machine	3.30	3.55
Crane, paver, 21E and over	3.30	3.55
Derrick	3.30	3.55
Cableway	3.30	3.55
Building hoist (single and double drum)	3.05	3.30
Carryall, scraper and tournapull	2.925	3.175
Roller, high grade finishing	2.925	3.175
Caterpillar type tractor with front and overhead loader	2.90	3.15
Bulldozer and tractor, including rubber tire type with front and overhead loader	2.675	2.925
Motor patrol	2.70	2.95
Tugger machine	2.90	3.15
Conveyor	2.90	3.15
Concrete-breaking machine	2.90	3.15
Spreader	2.90	3.15
Asphalt plant engineer	2.925	3.175
High or low pressure boiler	2.90	3.15
All other equipment not mentioned	2.90	3.15
Concrete pump	2.90	3.15
Roller	2.775	3.025
Seaman pulverizing mixer	2.675	2.925
Fireman	2.325	2.575
Welding machine	2.70	2.95
Well point pump	2.575	2.825
Compressor	2.575	2.825
Pump	2.575	2.825
Maintenance engineer	2.575	2.825
Welder	2.60	2.85
Farm tractor	2.525	2.775
Road finishing machine	2.525	2.775
Form line grader	2.525	2.775
Fine grade machine	2.525	2.775
Oiler and apprentice engineer	1.90	2.15

Case C-6117: Entire State of Delaware; heavy (dock-building only).

Pile driver	$3.30
Crane	3.30
Power shovel	3.30
Derrick	3.30
Fireman	2.325
Oiler	1.90

Case C-7517C: Entire State of Delaware; highway construction only.

	Weekly basis	Daily basis
Steel erection	$3.315	$3.565
Pile driver		
Back hoe	3.19	3.315
Dragline	3.19	3.315
Power shovel	3.19	3.315
Crane	3.19	3.315
Keystone	3.19	3.315
Paver, 21E and over	3.19	3.315
Trenching machine	3.19	3.315
Cableway	3.19	3.315
Carryall, scraper and tournapull machine	2.94	3.065
Caterpillar type tractor with front and overhead loader	2.89	3.015
Bulldozer and tractor, including rubber tire type front and overhead loader	2.69	2.815
Motor patrol	2.69	2.815
Roller high grade finishing	2.915	3.04
Concrete breaking machine	2.915	3.04
Asphalt spreader	2.915	3.04
Concrete pump	2.915	3.04
Asphalt plant engineer	2.915	3.04
All other equipment not mentioned	2.915	3.04
Seaman pulverizing mixer	2.665	2.79
Roller 10-ton, grade fill and stone base	2.665	2.79
Farm tractor	2.515	2.64
Road finishing machine	2.515	2.64
Concrete spreader	2.515	2.64
Form line grader	2.515	2.64
Fine grade machine	2.515	2.64
Conveyor loader	2.515	2.64
Maintenance man and welder	2.69	2.715
Compressor	2.49	2.615
Pump:		
4-inch discharge and over	2.49	2.615
2 or more of any size	2.49	2.615
All well point pumps	2.49	2.615
Fireman	2.34	2.465
Apprentice engineer and oiler	1.965	2.09

Painters

Case C-6169: Entire State of Delaware; building construction only.

Journeyman painter	$2.40
Journeyman steel painter	2.575

Plasterers

Case C-2334: Wilmington and area within the territorial jurisdiction o fthe Operative Plasterers and Cement Masons International Association Local 38; building construction only.

Journeyman plasterer	$3.00

Plumbers

Case C-8197: Linden, N. J., and area within the territorial jurisdiction of the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Joint Council of Lead Burners Local Unions; Local 596; building, heavy and highway construction.

Journeyman lead burner	$3.175
Lead burner, apprentice:	*Percent*
First 3 months	30
Next 9 months	35

Case C-4998: Entire State of Delaware; mainline pipeline construction only.

Journeyman pipe fitter	$2.65
Pipe fitter welder	2.65
Pipe fitter apprentice	[1] 1.35

[1] Or 15 cents per hour over and above the common laborer rate in any given area.

Case C-8546: Entire State of Delaware; building construction only.

Journeyman sprinkler fitter	$2.70

Case C-8531. County of Sussex; building construction only.

Journeyman plumber	$2.75

Case C-8874: Counties of New Castle and Kent; building construction only.

Journeyman plumber	$2.80

Sheet Metal Workers

Case C-8562: Counties of Kent, Sussex, and New Castle; building construction only.

Journeyman sheet metal worker	$2.90

Stone Masons

Case C-6093: Entire State of Delaware; building construction only.

Journeyman stone mason	$3.00

Steam Fitters

Case C-8531. County of Sussex; building construction only.

Steam fitter	$2.75

Case C-8874: Counties of New Castle and Kent; building construction only.

Steam fitter	$2.80

Tile Layers

Case C-6093: Entire State of Delaware; building construction only.

Journeyman tile setter	$2.75

[F. R. Doc. 53-447; Filed, Jan. 15, 1953; 8:45 a. m.]

[Amdt. 6]

DISTRICT OF COLUMBIA

AREA WAGE RATES

Area wage rates for the District of Columbia up to approximately January 5, 1953, are hereby added to the list previously published in the FEDERAL REGISTER issue of October 30, 1952, at 17 F. R. 9784.

The following table shows the area wage rates that have been published and the FEDERAL REGISTER citation.

Alabama: 17 F. R. 9784.
Arizona: 17 F. R. 9789.
Arkansas: 17 F. R. 10576.
California: 17 F. R. 10784.
Colorado: 17 F. R. 11246.
Connecticut: 18 F. R. 208.
Delaware.[1]

THOMAS J. KALIS,
DUNCAN CAMPBELL,
Co-Chairmen.
ROBERT J. LUDWIG,
Administrative Assistant.

Area rates approved and issued by the Construction Industry Stabilization Commission for the District of Columbia up to approximately January 5, 1953.

SEC. 8. *Area wage rates for District of Columbia (all of the rates stated below are applicable throughout the District of Columbia).*

Asbestos Workers

Case C-5738: Building construction only.

Asbestos worker mechanic	$2.90

Boilermakers

Case C-5311: Building and heavy construction only.

Lead mechanic	$3.26
Assistant lead mechanic	3.01
Boilermaker	2.76
Boilermaker helper	2.51

Bricklayers

Case C-4198: Building and heavy construction only.

Journeyman bricklayer	$3.30
Journeyman cleaner, pointer, and caulker	3.30

[1] See F. R. Doc. 53-447, *supra*.

Carpenters

Case C-7207: Building and heavy construction only.

Journeyman carpenter, pile driver, and millwright	$2.875

Cement Finishers

Case C-5695: Building construction only.

Cement mason	$2.80
Asphalt and composition finisher	2.80
Grinding machine operator:	
For walls and ceilings	2.85
Swinging and suspended scaffold	2.85

Elevator Constructors

Case C-9116: Construction, repair, contract service, and modernization work in elevator industry.

Elevator constructor foreman	$3.52
Elevator constructor mechanic	3.13
Elevator constructor helper	2.19

Glaziers

Case C-10,598: Building construction only.

Journeyman glazier	$2.60

Iron Workers

Cases C-7377 and C-8021: Building, heavy and highway construction.

Journeyman structural and ornamental iron worker, rigger and machinery mover, stone derrick man, signal man (hand, bell, or telephone), and fence erector	$3.25
Foreman	3.60
Concrete steel worker, bending, placing, welding, setting and tieing, and assorting of reinforced steel	2.90
Foreman	3.15
Apprentice:	
First 6 months	2.00
Second 6 months	2.125
Third 6 months	2.25
Fourth 6 months	2.50

Laborers

Case C-5160: Mainline pipeline construction only.

Laborer (pipeline)	$1.60

Case C-9450: Tunnel, sewer, and waterline construction only.

Laborer	$1.60
Miner	2.185
Timberman	2.00
Sheeting	1.90
Shoring	1.85
Pipelayer	1.80
Caulker	1.75
Wagon driller	2.10
Rock driller	1.70
Bottom man	1.70
Mucker	1.70
Jackhammer man, rammer, spader	1.65

Case C-8054: Heavy construction only.

Heavy construction laborer	$1.75
Jackhammer man	1.89
Mortar man	1.89
Scaffold builder	1.89
Bottom man (on caisson test pit, underpinning, and pile hole and ditch)	2.00
Tow master, scootcrete, buggymobile, air tamper with 8-inch head or larger, gasoline rammer, builder of trestle scaffold over one tier	1.89

Case C-5249: Building construction only.

Building laborer	$1.75
Jackhammer man	1.89
Mortar man	1.89
Scaffold builder	1.89
Bottom man (on caissons test pits, underpinning, and pier holes and ditches)	2.00
Tow master	1.89
Scootcrete	$1.89
Buggymobile	1.89
Air tamper with 8-inch head or larger	1.89
Gasoline rammer	1.89
Builder of trestle scaffold over 1 tier high	1.89

Lathers

Case C-6358: Building construction only.

Journeyman lather, wood, wire, and metal	$3.30

Marble, Mosaic, and Terrazzo Helpers

Cases C-5503 and C-6483: Building construction only.

Tile and terrazzo helper	$2.20
Marble polisher and marble setter helper	2.20

Marble Setters

Case C-3067: Building construction only.

Journeyman marble mason	$3.30

Mason and Plasterer Tenders

Case C-8723: Building construction only.

Plasterer tender	$2.15

Mosaic and Terrazzo Workers

Case C-4178: Building construction only.

Terrazzo worker	$3.125
Mosaic worker	3.125

Operating Engineers

Case C-6492: Building heavy and speculative housing construction only.

	Building and heavy	Speculative housing
Back hoe, cableway, crane or derrick, drag line, elevating grader, hoist (double drum), paving mixer, pile driving engine, power shovel, tunnel shovel, tunnel mucking machine	$3.00	$2.85
Boiler, skeleton: Concrete pump, elevator (permanent), hoist (single drum), locomotive, standard, narrow gage; trenching machine, well drilling machine	2.74	2.60
Front end loader (hi-lift)	2.60	2.50
Air compressor, concrete mixer, mechanic and maintenance man, pump, tunnel mechanic, tunnel motorman, welding machine well point	2.57	2.45
Power driven wheel scoop and scraper	2.55	2.40
Blade grader, bulldozer, motor grader, roller	2.35	2.25
Asphalt spreader, bullfloat finishing machine, concrete finishing machine, concrete spreader, fine grader, form grader	2.18	2.10
Apprentice engineer:		
Fireman	2.03	1.95
Truck crane oiler	1.96	1.85
Oiler	1.91	1.80

Case C-5410: Construction of sewer and waterline outside the building line.

Back hoe, cableway, crane, or derrick (mounted on wheels or crawler tracks), drag line, elevating grader, hoist (double drum), paving mixer, pile driving engine, power shovel, tunnel shovel, tunnel mucking machine	$2.90
Trenching machine	2.65
Trenching machine (for small trenches, 8-foot cutting depth or less, manufacturers' rated capacity), boiler, skeleton, concrete pump, elevator (permanent), hoist (single drum), locomotive standard, narrow gauge, well drilling machine, tugboat operator	2.60
Front end loader (hi-lift)	2.55

Concrete mixer, mechanic and maintenance man, power driven wheel scoop and scraper, tunnel mechanic, tunnel motorman	$2.45
Air compressor, pump, welding machine, well point, blade grader bulldozer, motor grader, roller	2.25
Asphalt spreader, bullfloat finishing machine, concrete finishing machine, concrete spreader, fine grader	2.05
Apprentice engineer:	
Fireman	2.00
Truck crane oiler	1.85
Oiler	1.80

Other

Case C–8739: Building and heavy construction only.

Supervisor erector	$3.65
Foreman and master mechanic	3.35
Construction and erection machinists	2.85
Rigger leader	3.10
Rigger	2.85
Automatic foreman (heavy duty)	3.10
Automatic mechanic (heavy duty)	2.55

Painters

Case C–6684: Building construction only.

Journeyman brush painter	$2.67
Journeyman spray painter	2.67
Journeyman steel painter	3.00
Journeyman painter, swing stage	3.00

Plasterers

Case C–8452: Building construction only.

Journeyman plasterer	$3.425

Case C–9109: Building construction only.

Ornamental plastering industry: Shophand, caster, modeler, model maker, sculptor, composition worker	$2.875
All foremen	3.125

Plumbers

Case C–8546: Building construction only.

Journeyman sprinkler fitter	$2.79

Case C–4976: Building construction only.

Journeyman plumber	$2.90

Roofers

Case C–4248: Building construction only.

Journeyman slate and tile roofer	$2.60
Journeyman composition roofer mopman	2.60
Journeyman composition roofer	2.20
Helper	1.75

Apprentices:
First 6 months, 65 percent of mopman rate.
Second 6 months, 70 percent of mopman rate.
Third 6 months, 75 percent of mopman rate.
Fourth 6 months, 80 percent of mopman rate.
Fifth 6 months, composition roofer rate.

Sheet Metal Workers

Case C–4633: Building construction only.

Journeyman sheet metal worker	$2.875

Soft Floor Layers

Case C–7207: Building and heavy construction only.

Layer of prefabricated resilient surface covering	$2.875

Steam Fitters

Case C–5388: Building construction only.

Journeyman steam fitter	$2.90
Fitter doing service work on refrigeration and air conditioning equipment up to and including 5-horsepower	2.35
Fitter doing installation and servicing of domestic refrigeration and domestic stokers	$2.00
Apprentice:	
First year	1.20
Second year	1.40
Third year	1.60

Stone Cutters

Case C–4570: Building construction only.

Stone cutter (inside)	$2.75
Stone cutter (outside)	3.125
Stone carver (inside)	3.06
Stone carver (outside)	3.43

Case C–10, 154: Building construction only.

Planerman	$2.75

Stone Masons

Case C–3067: Building construction only.

Stone masons	$3.30

Teamsters

Case C–7048: Building, heavy and highway construction.

Dump trucks up to and including 8 wheels	$1.52
Dump trucks over 8 wheels	1.79
Flat trucks up to and including 8 wheels	1.68
Flat trucks over 8 wheels	1.79
Tractor trailer trucks	1.75
Water sprinkler tank trucks	1.63
Grease and oil trucks	1.63
Tractor pulls	1.79
Euclids	1.79
Ross carrier	1.79
Buggymobile	1.79
Dumpster	1.79
Helper	1.41

Tile Layers

Case C–4178: Building construction only.

Tile setter	$3.125

[F. R. Doc. 53–480; Filed, Jan. 15, 1953; 8:50 a. m.]

FEDERAL POWER COMMISSION

[Docket Nos. G–683, G–1532]

KANSAS-NEBRASKA NATURAL GAS CO., INC.

NOTICE OF FINAL DECISION

JANUARY 13, 1953.

Notice is hereby given that the Presiding Examiner's Decision issuing a certificate of public convenience and necessity in the above-designated matter was issued and served upon all parties on December 11, 1952. No exceptions thereto having been filed or review initiated by the Commission, in conformity with the Commission's rules of practice and procedure, said decision became effective on January 12, 1953, as the final decision and order of the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 53–472; Filed, Jan. 15, 1953; 8:48 a. m.]

[Docket No. G–1413]

PIEDMONT NATURAL GAS CO., INC.

NOTICE OF PETITION TO AMEND CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

JANUARY 12, 1953.

Take notice that Piedmont Natural Gas Company, Inc., (Piedmont) a New York corporation having a place of business in the city of Charlotte, North Carolina, filed on December 31, 1952, a petition to amend the certificate of public convenience and necessity heretofore issued to Piedmont in the above-entitled matter in the manner hereinafter indicated.

By the decision of the Commission's Presiding Examiner filed November 10, 1950, as modified and affirmed by the Commission in its order of January 19, 1951, in Docket No. G–1413, Piedmont was granted a certificate of public convenience and necessity to section 7 of the Natural Gas Act to construct and operate facilities for the transportation of natural gas which it is to obtain from Transcontinental Gas Pipe Line Corporation.

On March 23, 1951, Piedmont filed a petition to amend its aforesaid certificate authorized by the Commission's aforesaid order of January 19, 1951 with respect to Piedmont's Greensboro-Burlington lateral, which amendment was authorized by the Commission in its order of June 6, 1951, in Docket No. G–1413

The petition recites: In its said order of June 6, 1951, in Docket No. G–1413, the Commission stated at page 5:

Piedmont Natural, on March 23, 1951, filed a petition to amend its certificate of public convenience and necessity, issued in Docket No. G–1413, to authorize it to substitute, with respect to its Greensboro-Burlington lateral, 9.9 miles of 12-inch and 23.4 miles of 10-inch pipe line for the 10.8 miles of 8-inch, and 18.4 miles of 4-inch previously authorized and to construct a metering station to measure the gas transported for Public Service.[5]

and further states at page 10:

Piedmont Natural proposes to transport natural gas by means of its Greensboro-Burlington lateral for the account of Public Service for an annual transportation charge of $80,000. Such charge does not appear to be unreasonable, and the modification of Piedmont Natural's certificate herein will be conditioned to require the filing of an appropriate tariff providing a charge not in excess of $80,000 per annum for such transportation.

and ordered in paragraph A (ii) of said order:

The Commission's final decision and order issuing a certificate effective as of January 19, 1951, to the Piedmont Natural Gas Company, Inc., in Docket No. G–1413, is hereby modified to the extent of the substitution of the facilities, above referred to, for the transportation of natural gas in interstate commerce including transportation for the account of Public Service, and as more particularly described in Piedmont Natural's petition filed March 23, 1951, to amend its certificate in Docket No. G–1413. Such certificate is conditioned to require Piedmont Natural to submit a tariff satisfactory to the Commission at least three months prior to commencement of operations for the transportation of natural gas for the account of Public Service, consistent with our views as expressed at page 10, hereof.

Piedmont requests that the certificate of public convenience and necessity issued to it in Docket No. G–1413 be amended to authorize with respect to

[5] Piedmont Natural also seeks authorization to transport natural gas by means of such facilities for Public Service, in Docket No. G–1413.

Piedmont's Greensboro-Burlington lateral the substitution of 9 miles of 12-inch pipe in lieu of 9.9 miles of 12-inch pipe, the substitution of 25.8 miles of 10-inch pipe in lieu of 23.4 miles of 10-inch pipe, the proposed new delivery point for delivery of natural gas transported for the account of Public Service and the minor rerouting of said 10-inch pipe around Burlington, North Carolina.

Piedmont further requests that an annual charge of $85,000 for transporting natural gas for the account of Public Service be approved in lieu of the $80,000 referred to above and that Piedmont be permitted to file a contract by and between Piedmont and Public Service embodying such annual charge of $85,000 as a special rate schedule in lieu of the former tariff.

The petition is on file with the Commission for public inspection. Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 30th day of January 1953.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-473; Filed, Jan. 15, 1953; 8:48 a. m.]

[Docket No. G-1630]

EL PASO NATURAL GAS CO.

NOTICE OF PETITION TO AMEND CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

JANUARY 12, 1953.

Take notice that El Paso Natural Gas Company (Applicant) a Delaware corporation, address 1010 Bassett Tower, El Paso, Texas, filed on January 2, 1953, a petition to amend the certificate of public convenience and necessity authorized by order issued on June 23, 1952, in Docket No. G-1630.

Applicant proposes to construct and operate approximately 31.9 miles of 30-inch new pipeline extending from a point on its existing 24-inch San Juan line near Kingman, Arizona, to a point on the said 24-inch pipeline near Franconia, Arizona, in lieu of the 36.9 miles of 24-inch loop pipeline authorized. The additional cost of constructing the now proposed 31.9 miles of 30-inch loop pipeline will exceed by approximately $316,000 the estimated cost of constructing the 24-inch pipeline authorized.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 30th day of January 1953. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-474; Filed, Jan. 15, 1953; 8:48 a. m.]

[Project No. 2122]

MONTANA POWER CO.

NOTICE OF APPLICATION FOR LICENSE

JANUARY 12, 1953.

Public notice is hereby given that the Montana Power Company, of Butte, Montana, has filed application under the Federal Power Act (16 U. S. C. 791a-825r) for a license for constructed water-power Project No. 2122 (known as the Black Eagle Hydroelectric Development) located on the Missouri River approximately 2½ miles northeast of Great Falls in Cascade County, Montana, completed and placed in operation in 1927, and consisting of a concrete, gravity type dam with an overall length of 831 feet comprised of a spillway section 627 feet long equipped with 11-foot flashboards, a waste gate section 105 feet long and abutment sections at either end of the dam; a reservoir with usable storage of 1709 acre-feet; a headrace 420 feet long and 60 to 96.5 feet wide; steel penstocks leading to the turbines; a powerhouse at the end of the headrace containing three units each consisting of a 9300-horsepower turbine connected to a 7000-kilovolt-ampere generator; a substation; two 102 kv transmission tap lines from the Black Eagle plant to the company's system, one line 5,200 feet long and the other 6,400 feet long; and appurtenant facilities.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10) on or before the 27th day of February 1953. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-475; Filed, Jan. 15, 1953; 8:48 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-2978]

OHIO POWER CO.

ORDER GRANTING APPLICATION TO SELL FIRST MORTGAGE BONDS AND PREFERRED STOCK

JANUARY 12, 1953.

The Ohio Power Company ("Ohio Power"), a subsidiary of American Gas and Electric Company, a registered holding company, having filed an application and amendment thereto, pursuant to the Public Utility Holding Company Act of 1935, particularly section 6 (b) thereof and Rule U-50 thereunder, with respect to the following proposed transactions:

Ohio Power proposes to issue and sell $22,000,000 aggregate principal amount of its First Mortgage Bonds, __ Percent Series, due 1983. Such bonds will be sold under competitive bidding pursuant to Rule U-50 of the Commission's rules and regulations under the act. The coupon rate (to be expressed in a multiple of ⅛ of 1 percent) and the price to be paid to Ohio Power, which shall be not less than 100 percent and not more than 102¾ percent of principal amount, will be determined by competitive bidding.

Ohio Power also proposes to issue and sell 100,000 shares of __ percent Cumulative Preferred Stock, par value $100 per share. Such Preferred Stock will be sold under competitive bidding pursuant to Rule U-50 of the Commission's rules and regulations under the act. The dividend rate (to be expressed in a multiple of 0.04 of 1 percent) and the price to be paid to Ohio Power, which shall be not less than $100 per share nor more than $102.75 per share, will be determined by competitive bidding.

The application, as amended, states that Ohio Power proposes publicly to invite bids for the Bonds and Preferred Stock on or about January 13, 1953, and requests that the bidding period provided by Rule U-50 (b) be shortened from ten days to seven days. The application states that Ohio Power contemplates that the successful bidders for the Bonds and Preferred Stock will make public offerings thereof. The company proposes that, upon receipt of bids, it may proceed with the sale of the Bonds or the Preferred Stock or both.

The application, as amended, states that of the proceeds of the sales of the Bonds and Preferred Stock, $12,500,000 will be deposited in cash with the Corporate Trustee under the Mortgage securing Ohio Power's First Mortgage Bonds, to be withdrawn, used or applied by Ohio Power in accordance with the terms of the Mortgage, and not to exceed $14,000,000 will be used for the prepayment without premium of Notes Payable by Ohio Power to various banks. The remaining proceeds will be added to Ohio Power's treasury funds, and these funds, together with such amounts as may be withdrawn from deposit under the Mortgage, will be applied, together with other funds of Ohio Power, to extensions, additions and improvements to its properties.

The application, as amended, states that on July 18, 1952, Ohio Power issued 300,000 additional shares of common stock to American Gas and Electric Company, its parent company, for a cash consideration of $14,500,000, and that those shares were sold in contemplation of the presently proposed sale of Bonds and Preferred Stock.

The application, as amended, states that the issue and sale of the Bonds and the Preferred Stock are solely for the purpose of financing the business of Ohio Power, and will be expressly authorized by the Public Utilities Commission of Ohio, the State in which Ohio Power is organized and doing business. The application, as amended, represents that the prepayment of the Notes Payable to banks is exempt from any requirements under sections 9 (a) and 12 (c) of the act by virtue of subdivision (b) (2) of Rule U-42, as being an acquisition, retirement or redemption of an evidence of indebtedness for the consideration specifically designated therein.

Notice of the filing of the application, as amended, having been given in the

form and manner prescribed by Rule U-23 promulgated pursuant to the act, and the Commission not having received a request for a hearing and not having ordered a hearing thereon; and

The Commission finding with respect to the application, as amended, that the applicable statutory standards are satisfied and that it is not necessry to impose any terms or conditions other than those set forth below, and the Commission deeming it appropriate that said application, as amended, be granted subject to the reservation of jurisdiction hereinafter provided, and the Commission also deeming it appropriate to grant the request that the period for receiving competitive bids be shortened from ten days to seven days:

It is ordered, Pursuant to said Rule U-23 and the applicable provisions of the act that the application, as amended, be, and the same hereby is, granted, effective forthwith, subject to the terms and conditions prescribed in Rule U-24 and subject to the following additional terms and conditions:

(1) That the proposed issuance and sale by Ohio Power of $22,000,000 principal amount of First Mortgage Bonds, ___ percent Series, due 1983, and 100,000 shares of ___ percent Cumulative Preferred Stock, par value $100 per share, shall not be consummated until the results of competitive bidding, held with respect thereto, shall have been made a matter of record in this proceeding, and further order shall have been entered by this Commission in the light of the record so completed, which order shall contain such further terms and conditions, if any, as may then be deemed appropriate, for which purpose jurisdiction be, and the same hereby is, reserved;

(2) That jurisdiction be reserved as to any and all fees and expenses incurred or to be incurred in connection with the consummation of the proposed transactions;

(3) That in the event Ohio Power issues the 100,000 shares of ___ percent Cumulative Preferred Stock, so long as any shares of the Cumulative Preferred Stock of any series are outstanding, the company shall not:

(A) Without the consent (given by vote at a meeting called for that purpose) of the holders of a majority of the total number of shares of the Cumulative Preferred Stock then outstanding issue any shares of its Cumulative Preferred Stock or of any other class of stock ranking prior to or on a parity with the Cumulative Preferred Stock as to dividends or distributions or pay any dividends on the Common Stock unless, after giving effect to such issuance or payment, the aggregate of the capital of the company applicable to the Common Stock and of the surplus of the company shall be not less than the amount payable upon the involuntary dissolution, liquidation or winding up of the company to the holders of the Cumulative Preferred Stock and of such other class of stock, excluding from the foregoing computation all stock which is to be retired in connection with such additional issue;

(B) Declare or pay any dividends on the Common Stock of the company, except as follows:

(a) If and so long as the Common Stock Equity at the end of the calendar month immediately preceding the date on which a dividend on Common Stock is declared is, or as a result of such dividend would become, less than 20 percent of total capitalization, the company shall not declare such dividend in an amount which, together with all other dividends on Common Stock paid within the year ending with and including the date on which such dividend is payable, exceeds 50 percent of the net income of the company available for dividends on the Common Stock for the twelve full calendar months immediately preceding the month in which such dividend is declared; and

(b) If and so long as the Common Stock Equity at the end of the calendar month immediately preceding the date on which a dividend on Common Stock is declared is, or as a result of such dividend would become, less than 25 percent but not less than 20 percent of total capitalization, the company shall not declare such dividend in an amount which, together with all other dividends on Common Stock paid within the year ending with and including the date on which such dividend is payable, exceeds 75 percent of the net income of the company available for dividends on the Common Stock for the twelve full calendar months immediately preceding the month in which such dividend is declared; and

(c) At any time when the Common Stock Equity is 25 percent or more of total capitalization, the company may not declare dividends on shares of the Common Stock which would reduce the Common Stock Equity below 25 percent of total capitalization, except to the extent provided in subparagraphs (a) and (b) above.

For the purposes of the foregoing limitation (i) the term "Common Stock Equity" shall mean the sum of the par value of, or stated value or capital represented by, the shares of Common Stock of the company, and the surplus, earned, capital, and paid-in, of the company (including any premiums on Common Stock but excluding any premiums on the Cumulative Preferred Stock) whether or not available for the payment of dividends on the Common Stock, provided, however, that there shall be deducted from such sum the amount, if any, by which the charges since December 31, 1952, for maintenance and provision for depreciation expense shall not have been equal to 15 percent of base operating revenues as defined in clause (a) of Part II of section 20 of the Mortgage, dated October 1, 1938, as amended and supplemented, of the company ("depreciation expense" shall be deemed to be the amount credited to the depreciation reserve account of the company through charges to operating revenue deductions or otherwise as provided in the Uniform System of Accounts prescribed for Public Utilities and Licensees by the Federal Power Commission), (ii) the term "total capitalization" shall mean the sum of the par value of, or stated value or capital represented by, the capital stock of all classes of the company outstanding, the surplus, earned capital, and paid-in, of the company (including any premiums on any such capital stock), whether or not available for the payment of dividends on the Common Stock, and the principal amount of all debt of the company outstanding, maturing more than twelve months after the date of the determination of the total capitalization; and (iii) the term "dividends on Common Stock" shall embrace dividends on Common Stock of the company (other than dividends payable only in shares of such Common Stock), distributions on, and purchases or other acquisitions for value of any Common Stock of the company;

(c) Issue any shares of any class of stock ranking prior to the Cumulative Preferred Stock as to dividends or distributions, or any security convertible into any such class of stock, except within a period of six months after the meeting at which the consent (given by vote) of the holders of the requisite number of shares of Cumulative Preferred Stock of the company shall be given; and

(D) Reissue any shares of Cumulative Preferred Stock redeemed, purchased or otherwise acquired by the company, but such shares shall be retired and cancelled.

It is further ordered, That the period for receiving competitive bids on the bonds and preferred stock be, and the same hereby is, shortened from ten days to seven days.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 53-462; Filed, Jan. 15, 1953; 8:47 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

[Vesting Order 19112]

M. G. BRUECKNER

In re: Stock owned by M. G. Brueckner, also known as G. M. Brueckner. F-28-23607-D-1, E-1.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40), Public Law 181, 82d Congress, 65 Stat. 451, Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp., 3 CFR 1945 Supp.), Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.), and pursuant to law, after investigation, it is hereby found:

1. That M. G. Brueckner, also known as G. M. Brueckner, whose last known address is Hauptstrasse 70, Liegan, Sajonia, Germany, on or since December 11, 1941, and prior to January 1, 1947, was a resident of Germany and is, and prior to January 1, 1947, was a national of a designated enemy country (Germany),

2. That the property described as follows: Six (6) "Foreign Shares" of capi-

tal stock of Patino Mines & Enterprises Consolidated (Incorporated) 20 Exchange Place, New York, New York, a corporation organized under the laws of the State of Delaware, evidenced by a "Foreign Certificate" numbered 12352, registered in the name of Banco de Chile, together with all declared and unpaid dividends thereon, and any and all rights to exchange the aforesaid shares of stock for "American Shares" of said corporation,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, M. G. Brueckner, also known as G. M. Brueckner, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That the national interest of the United States requires that the person referred to in subparagraph 1 hereof be treated as a person who is and prior to January 1, 1947, was a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 12, 1953.

For the Attorney General.

[SEAL] ROWLAND F. KIRKS,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 53-405; Filed, Jan. 14, 1953; 8:54 a. m.]

[Vesting Order 19113]

JORGE FIEDLER

In re: Securities owned by Jorge Fiedler. D-28-7570 A-1.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40) Public Law 181, 82d Congress, 65 Stat. 451, Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp., 3 CFR 1945 Supp.) Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.) and pursuant to law, after investigation, it is hereby found:

1. That Jorge Fiedler, who on or since December 11, 1941, and prior to January 1, 1947, was a resident of Germany, is, and prior to January 1, 1947, was a national of a designated enemy country (Germany);

2. That the property described as follows:

a. One (1) United Industrial Corporation (Viag) 6 percent bond, due December 1, 1946, numbered 5475 and of $1,000.00 face value, said bond presently in the custody of Ernst Esch Company, 80 Wall Street, New York 5, New York, together with any and all rights thereunder and thereto,

b. Two (2) Certificates of Deposit of Rudolf Karstadt, due 1943, numbered 12762/3 and of $645.00 face value each, said certificates presently in the custody of Ernst Esch Company, 80 Wall Street, New York 5, New York, together with any and all rights thereunder and thereto,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Jorge Fiedler, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That the national interest of the United States requires that the person referred to in subparagraph 1 hereof, be treated as a person who is and prior to January 1, 1947, was a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 12, 1953.

For the Attorney General.

[SEAL] ROWLAND F. KIRKS,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 53-406; Filed, Jan. 14, 1953; 8:54 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 27699]

CAN ENDS FROM PENNSYLVANIA TO MEMPHIS, TENN., AND NEW ORLEANS, LA.

APPLICATION FOR RELIEF

JANUARY 12, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by F. C. Kratzmeir, Agent, for carriers parties to Agent C. W. Boin's tariff I. C. C. No. A-968, pursuant to fourth-section order No. 16101.

Commodities involved: Can ends, iron or steel or tin, carloads.

From: Bessemer, Mifflin Jct., Munhall, and Rankin, Pa.

To: Memphis, Tenn., and New Orleans, La.

Grounds for relief: Competition with rail carriers, circuitous routes, and operation through higher-rated territory.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,
Acting Secretary.

[F. R. Doc. 53-382; Filed, Jan. 14, 1953; 8:49 a. m.]

[4th Sec. Application 27701]

MALT LIQUORS FROM PEORIA, ILL., TO WHARTON, TEX.

APPLICATION FOR RELIEF

JANUARY 12, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by F. C. Kratzmeir, Agent, for carriers parties to schedule listed below.

Commodities involved: Malt liquors, ale, beer, etc., carloads.

From: Peoria, Ill.

To: Wharton, Tex.

Grounds for relief: Competition with rail carriers and circuitous routes.

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, I. C. C. No. 3912, Supp. 163.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed

within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD,
Acting Secretary.

[F. R. Doc. 53-384; Filed, Jan. 14, 1953; 8:49 a. m.]

[4th Sec. Application 27703]

PAPER AND PAPER ARTICLES FROM SOUTHWESTERN TERRITORY TO COUNCIL BLUFFS, IOWA, OMAHA AND SOUTH OMAHA, NEBR.

APPLICATION FOR RELIEF

JANUARY 13, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by F. C. Kratzmeir, Agent, for carriers parties to schedule listed below.

Commodities involved: Paper and paper articles, carloads.

From: Advance, La., and other specified points in southwestern territory.

To: Council Bluffs, Iowa, Omaha and South Omaha, Nebr.

Grounds for relief: Competition with rail carriers, circuity, and additional routes.

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, I. C. C. No. 4038, Supp. 4.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD,
Acting Secretary.

[F. R. Doc. 53-449; Filed, Jan. 15, 1953; 8:45 a. m.]

[4th Sec. Application 27705]

ZIRCONIUM ORE FROM MELBOURNE, FLA., TO CINCINNATI, OHIO

APPLICATION FOR RELIEF

JANUARY 13, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by R. E. Boyle, Jr., Agent, for carriers parties to Agent C. A. Spaninger's tariff I, C. C. No. 1346.

Commodities involved: Zirconium ore, crude, carloads.

From: Melbourne, Fla.

To: Cincinnati, Ohio.

Grounds for relief: Competition with rail carriers and circuitous routes.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C. No. 1346, Supp. 1.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD,
Acting Secretary.

[F. R. Doc. 53-451; Filed, Jan. 15, 1953; 8:45 a. m.]

[4th Sec. Application 27706]

LIVE STOCK FROM ST. LOUIS, MO., AND EAST ST. LOUIS, ILL., TO THE SOUTH

APPLICATION FOR RELIEF

JANUARY 13, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by R. E. Boyle, Jr., Agent, for carriers parties to schedule listed below.

Commodities involved: Live stock, viz: cattle and hogs, carloads.

From: St. Louis, Mo., and East St. Louis, Ill.

To: Specified points in Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee.

Grounds for relief: Competition with rail carriers, circuity and to apply rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C. No. 698, Supp. 109.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD,
Acting Secretary.

[F. R. Doc. 53-452; Filed, Jan. 15, 1953; 8:45 a. m.]

[4th Sec. Application 27707]

ALCOHOL AND RELATED ARTICLES FROM LOUISIANA TO WESTERN POINTS

APPLICATION FOR RELIEF

JANUARY 13, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by W P Emerson, Jr., Agent, for carriers parties to schedule listed below.

Commodities involved: Alcohol (denatured) and related articles, in carloads.

From: Baton Rouge, Gretna, New Orleans, North Baton Rouge, and Westwego, La.

To: Points in Minnesota, Missouri, Nebraska, North Dakota, South Dakota, and Wisconsin.

Grounds for relief: Rail competition, circuity, analagous commodities, and operation through higher-rated territory.

Schedules filed containing proposed rates: W P Emerson, Jr., Agent, I. C. C. 400, Supp. 50.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD,
Acting Secretary.

[F. R. Doc. 53-453; Filed, Jan. 15, 1953; 8:46 a. m.]